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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, strong to save, empower our lawmakers to serve You today, to solve problems, to remove impediments, and to glorify You. Give them Your higher wisdom as they seek You, the source of their strength.

Lord, surround them with the shield of Your Divine favor so that no weapon formed against them will prosper.

Almighty God, provide our Senators strength for the adventures of these hours, and may Your truth and love fill their hearts and find expression in their daily living.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. TILLIS). The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—H.R. 1271 AND H.R. 1381

Mr. MCCONNELL. Mr. President, I understand there are two bills at the desk due a second reading en bloc.

The PRESIDING OFFICER. The clerk will read the measures by title for the second time.

The bill clerk read as follows:

A bill (H.R. 1271) to establish in the Department of Veterans Affairs a pilot program instituting a clinical observation program for pre-med students preparing to attend medical school.

A bill (H.R. 1381) to direct the Secretary of Veterans Affairs to take actions necessary to ensure that certain individuals may update the burn pit registry with a registered individual's cause of death, and for other purposes.

Mr. MCCONNELL. In order to place the measures on the calendar under the provisions of rule XIV, I object to further proceeding en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

ANTI-SEMITISM

Mr. MCCONNELL. Mr. President, before I begin, I spoke yesterday about the evil of anti-Semitism and the recent disturbing invocation of anti-Semitic stereotypes by a Member of the House Democratic Conference. I took for granted, as a result, that the House Democrats would at least—at least—make good on their plans to symbolically condemn anti-Semitism.

Even as I called for the House Democrats to do more and pass the substantive foreign policy legislation the Senate sent them weeks ago, I at least assumed a few pages of symbolism was not too much to ask for, but alas, I spoke too soon. The House has put off consideration of a resolution to condemn anti-Semitism. Apparently, even nonbinding symbolism—this is all they were going to do—is too controversial within their own caucus. Let me say that again. Apparently, within the Speaker's new far-left Democratic majority, even a symbolic—symbolic—resolution condemning anti-Semitism seems to be a bridge too far.

Well, I expect I and other Members will have more to say on this subject, but for today I would let this speak for itself.

JUDICIAL NOMINATIONS

Mr. MCCONNELL. Now on another matter, already this week the Senate has confirmed two more well qualified judicial nominees. Soon, Allison Rushing and Chad Readler will take their respective seats on the Fourth and Sixth Circuit Courts of Appeals, and later today the Senate will vote on confirmation of Eric Murphy, also to the Sixth Circuit. Together, these nominees bring decades of legal experience, prestigious clerkships, and the recognition of their peers. They will be charged with upholding the Constitution and the rule of law, and each is well equipped to do exactly that.

Now, my colleagues need no reminder of Senate Democrats' historic obstruction of nominations over the past 2 years. Under this administration, 135 nominations have required a cloture vote—135 nominations have required a cloture vote—and five times more were required during the first 2 years than in the same period of the last six administrations combined—combined.

The final nomination we will consider this week captures what I am talking about perfectly. John Fleming was nominated by the President to serve as Assistant Secretary of Commerce for Economic Development on June 20 of last year. This is an Assistant Secretary of Commerce.

Mr. Fleming has an impressive record. When the Environment and Public Works Committee first considered his nomination last summer, a significant bipartisan majority voted to favorably report his nomination. This is an Assistant Secretary of Commerce out of committee on a bipartisan basis last summer, but partisan obstruction ran out the clock. The nomination was sent back to the President at the end of the Congress.

So earlier this year Mr. Fleming was resubmitted, returned to the same committee, and was favorably reported by the same bipartisan margin. But the obstruction still wasn't finished. Here

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

on the floor, I had to file cloture to ensure he would get a vote. I am pleased that cloture could be withdrawn yesterday, and we will be happy to vote on the confirmation today, just as happened last week on another nomination, but I am sorry these cloture filings and wasted time were needed for these uncontroversial and impressive nominees. I am sorry the case studies of pointless obstruction just keep on piling up.

H.R. 1

Mr. MCCONNELL. Now on another matter, this week Democrats in the House are expected to pass sweeping legislation I call the Democratic politician protection act. It aims to give Washington, DC, vast new control over elections, give tax dollars to political campaigns, and give election lawyers more opportunities to determine the outcome of our elections.

Today I want to discuss how it would open up the bipartisan Federal Election Commission to a hostile partisan takeover.

When Congress passed and amended the Federal Election Campaign Act after Watergate, the FEC was created as a six-member body, with an even number of commissioners and no more than three from the same party. At least four votes—four—would be required to take action—a built-in safeguard against one party seizing control of the FEC.

Well, House Democrats want to get rid of that. Their Democratic politician protection act would cut the FEC to a five-member body with two members from each party and a nominal Independent who, interestingly enough, would be handpicked by whoever the sitting President was.

Now, people on both sides of the aisle used to see right through these kinds of tricks. Back in 1976 Senator Alan Cranston—a California Democrat who was, by the way, the No. 2 Democrat in the Senate—warned about this. He said: ''The FEC has such potential for abuse in our democratic society that the President should not be given power over the Commission.''

As recently as 2 years ago, an outgoing Democratic FEC commissioner—one of the most active and liberal regulators in the Commission's history said: ''I don't have a problem with the 3–3 split at the commission . . . it was established that way in order to ensure that there was not going to be a partisan effort to use investigations against one political party or another.''

But now—now—Democrats want to scrap the neutrality and bring on the partisan takeover. Democrats respond by saying this fifth member would have to be affiliated with neither the Republican nor Democratic Party. They would have to be an Independent.

Give me a break. Give me a break.

One current commissioner is nominally an Independent, except the Washington Post reports this gentleman ''often votes with the Democrats,'' and he happens to be a longtime friend of former Majority Leader Harry Reid. He had actually previously worked as an election lawyer for Senator Reid. This is the Independent on the FEC now. He had often worked as an election lawyer for Senator Reid to help ensure he won close elections. In fact, Senator Reid repeatedly slipped and characterized this gentleman as the Democratic nominee several times here on the floor.

This is our current Independent on the FEC?

So I think we all know what kind of Independent fifth commissioner a Democratic President would select—one who would join with other Democrats and champion the campaigns of the left, while bringing waves of investigations, hearings, and subpoenas against their political opponents and punishing groups who dared to disagree.

What is more, the Democratic Politician Protection Act would give the sitting President the chance to name the Chairperson of the FEC, abandoning the current practice of rotating Chairmen, and this person would get broad new powers, like the sole authority to issue subpoenas and to compel testimony and the ability to hire and fire the general counsel with just two more votes from just one party.

So make no mistake, the Democrats are envisioning a hostile takeover of the body that regulates political speech, designed to tilt the playing field in their direction. Democrats claim this is necessary because the current structure is ''dysfunctional.''

Well, let's look at some of the current dysfunction and where it is coming from. Let's look at the Democrat who currently serves as the FEC Chair. She has been a Commissioner for 16 years. In fact, her term ended 11 years ago, but she has been held over ever since, and now this seasoned veteran of the left's anti-speech crusade has announced that she will bar the FEC's attorneys from defending the Commission when liberal watchdogs come after it in court.

By unilaterally withholding her vote, she plans to make the FEC essentially forfeit its legal fights against liberal groups by simply not showing up. So the defendants in these matters would be out of luck unless they happen to have the financial means to keep up their own defense.

This Democrat Commissioner has also indicated that if this trick doesn't produce the political outcome she is after, she is willing to simply ignore subsequent court orders altogether. This is a current member of the FEC.

So House Democrats are lecturing about dysfunction at the FEC, but it is their ally who is now using her vote to tie the FEC's hands behind its back.

Democrats and their allies claim Republicans are keeping the FEC from enforcing campaign finance laws. That is their talking point for all of these radical changes. But let's take a look at who is really refusing to work within the law. The Democratic Chairwoman says she will keep the FEC from defending itself and is threatening to disobey court orders. That is my definition of dysfunction.

Democrats aren't after an FEC that enforces the law. They want an FEC that advances their particular ideology. These current words and these current antics prove it, and the Democratic politician protection act would make it much, much worse.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE GREEN NEW DEAL

Mr. SCHUMER. Mr. President, for all of the Senate's vaunted traditions about grand debates, we very rarely practice the actual art—the real back and forth, the exchange of ideas. For weeks now, we have heard our Republican colleagues come to the floor and rail against the Green New Deal, as the leader just did. Democrats have simply been trying to get a few honest answers out of the Republican leadership about their position on climate change so that we might have a real debate.

Yesterday, as Republican after Republican lined up to give speeches against taking bold action on climate change, several Democrats tried to steer the conversation in a more positive direction by asking our Republican colleagues simple questions—and I ask this again of every Republican, particularly of Leader MCCONNELL: Do you, Leader MCCONNELL, and our Republican friends believe climate change is real? Yes or no? Do you believe that climate change is caused by human activity? Yes or no? Most importantly, do you believe Congress should do something about it? Yes or no?

If our colleagues believe it is a problem and agree to that, what is their plan to deal with climate change? We know they don't like the Green New Deal. They have made that clear. It doesn't forward the debate. But what is their plan?

We might have ruffled some feathers on the other side. I think my colleagues just wanted to give speeches on the Green New Deal and then leave the floor. It is a sad state of affairs when even a little debate, even heated debate, is something unsettling here in the Senate. But I have to give credit to the few Republicans who did engage us.

A few said they did believe in climate change and offered some examples of minor legislation where our parties could work together to begin tackling this crisis. I give them credit for that. But here is the problem: When is Leader MCCONNELL going to schedule time for consideration of this and other climate change legislation? We Democrats are ready to work. Will Leader MCCONNELL bring his own Members' clean energy legislation to the floor?

Others have said that climate change is happening, but the free market could take care of it through ''innovation.'' With all due respect, that doesn't mean much. Most of us would agree we live in an incredible time of innovation and technology, yet we continue to pour even more carbon into the atmosphere than in previous years, not less. Left alone, the market has proved incapable of curing climate change for the simple reason of what economists call externalities. You run a coal plant; you make the profits from selling the electricity that the coal plant produces, but you don't pay the price for the carbon you put in the air. So it is not going to happen through the free market alone because of what even Adam Smith recognized: There are externalities that have to be captured, and it is government's job to at least make sure they are captured.

Another block of Republicans took a different tack. A few of our Republican colleagues said yesterday that climate change was real but only because the climate has always been changing and all flora and fauna contribute to it. ''What are we to do,'' they say, as they throw up their hands and look to the sky, ''ban volcanoes?''

Unbelievable. What an amazing canard that is. Those who said it—and there were a few right here yesterday—would get an F in middle school Earth science with that kind of reasoning. We all know—at least we all ought to know—that human activity, particularly the burning of fossil fuels, has pushed the amount of carbon in our atmosphere to record levels, trapping more heat than ever before and changing the climate in ways not seen before in our history.

Maybe denying or misleading about climate change is considered acceptable in the modern Republican Party, where it has come to be expected, and we wonder why that is so. Some argue it is because people don't believe in science. Some argue it is because they just are stuck in the status quo. And some argue it is because there is a lot of oil money cascading into the Republican Party, when you read about all these multimillionaire and billionaire new oil magnates who send tons of money there. Some argue that. You can't prove which one is true, but we do know it leads to terrible, terrible inaction.

So I would like to see my colleagues who don't admit the severity of climate change go talk to the farmers in Iowa dealing with drought, the fishermen in Alaska and North Carolina, the homeowners in Florida and the Mountain West. See if denying recent climate change works there. It sure doesn't work on the south coast of Long Island, where we had Sandy, which made believers out of many who were skeptical in the past.

Nonetheless, we made some progress yesterday. At the very least, my friends on the other side know they will not able to execute their standard playbook. Democrats are not going to sit around while Republicans come to the floor and yell about socialism as they have the past two decades. We are going to make Republicans answer core questions about real change. That is what America wants.

One of the reasons all of these scare tactics didn't work in 2018 and the House is now Democratic and we kept most of our seats, even in very red States—I suspect many of my more reasonable colleagues would prefer that—a real debate—over ''gotcha'' politics that Leader MCCONNELL is so adept at playing and is playing once again with this cynical Green New Deal ploy.

VOTING RIGHTS

Mr. SCHUMER. Mr. President, on another matter, voting rights, today marks the 54th anniversary of Bloody Sunday, the protest march in Selma, AL, that led ultimately to the passage of the Voting Rights Act.

It was one of the most noble acts in American history. The courage of those who marched across that bridge, including our colleague, JOHN LEWIS, will be remembered centuries from now. It is a reminder that one thread of the American story is about how, despite our founding, our democratic principles, there has been a long march toward achieving the franchise.

We had democratic principles in the beginning. It was brand new. It was great, but remember, in 1789, in almost every State, the only people who could vote were White, male, Protestant property owners. I would imagine that would probably leave out even a majority in this Chamber who would be able to vote.

We have to keep improving that democracy. No one says we should only have White, male, Protestant property owners vote today because it was true in 1789. We have to move forward. We have to make voting more available and easier because the right to vote, without barriers, is what our soldiers, for centuries, have died for and what the people on that bridge marched for.

The march is still not over. In the wake of the disaster that was the Supreme Court's Shelby decision, 19 States rushed to pass discriminatory voter restrictions.

In North Carolina, the Republican State legislature drew up laws that ''targeted African Americans with almost surgical precision.'' How despicable. How despicable that the Republican legislature did that. Those are not my words; those are the court's words after looking at the evidence.

Fifty million Americans are now not registered to vote. Even though we don't talk about it enough, we have a population larger than two States living here in Washington, DC, without full congressional representation. We Democrats are ready to work.

Again, Leader MCCONNELL gets up, and he talks about all of this negativity, exaggeration, hyping, and scaring just like Donald Trump. Why doesn't Leader MCCONNELL put some legislation on the floor? Today, on the anniversary of Bloody Sunday, I want to mention three things we could do right now to bolster voting rights: one, undo the damage of the Shelby County decision by restoring the formula for preclearance; two, automatic voter registration; three, DC statehood.

Anyone who has been observing the floor of the Senate will have noticed by now just how vociferously our Republican leader opposes H.R. 1, which, among other things, would make election day a Federal holiday and attempt to get Big Money out of politics. Leader MCCONNELL has gone on to call these ideas a power grab, labeling the bill the Democratic politician protection Act.

Leader MCCONNELL, we are proud that we want more people to vote. Why are you ashamed of it? Why do you run away from it?

Leader MCCONNELL, we are proud that we want to get the influence of big, special interest money out of politics. Why do you say that is partisan? It is the wrong thing to do, and 90 percent of all Americans, Democratic and Republican, don't like to see Big Money cascading into politics. Argue the merits, Leader.

When you think doing those things are democratic things, we are proud, and the Republican Party should be ashamed that they are not for them and have to call them names. To say that allowing more Americans to vote and getting Big Money out of politics is bad for Republicans and good for Democrats, that says a lot right there.

It is a dark day—a dark day—for the Republican Party if their leader in the Senate has to argue against more Americans voting because it would hurt their party at the polls. Maybe we should go back to the old days and have fewer people vote, like in 1789, when only White, male, Protestant property owners could vote. Come on. This idea that having more people vote is a Democratic power grab, when it is part of the fundamental root of our democracy—it is an act of desperation by the Republican leader.

I don't think it is a coincidence that the Republican leader has pledged to bring up his version of the Green New Deal for a vote but not H.R. 1. He is happy to twist words against it himself, but he knows voting rights are a hard thing to argue about.

If he wants to try to bring it up on the floor, we welcome it. We welcome a

discussion. Make no mistake, Democrats are going to fight to make the ballot access easier, challenge all attempts to disenfranchise American citizens, and get the influence of big special interest money out of politics.

CHINA

Mr. SCHUMER. Mr. President, finally, on China, news reports continue to suggest that President Trump is close to cementing an agreement with Beijing that, unfortunately for America and for American workers, would fall far right of expectations.

Earlier this week, the New York Times reported that China is drafting new laws on foreign investments to pacify the United States, but those new laws do not include any changes to how China forces American businesses to transfer technology and know-how as the cost of doing business.

If our best companies were allowed to sell to China unfettered, they would have huge amounts of profit, and they would employ huge amounts of people in America more. China doesn't let that happen, but they can sell freely here.

The President was right to target China. The President was right to impose tariffs on China. The President will have taken defeat out of the jaws of an almost victory if he now backs off for the sake of a photo op or some brief changes in what China purchases and forsakes American wealth and American workers, while China is stealing our wealth and jobs from our workers every single day.

If President Trump accepts a short-term purchase of American goods in exchange for a reduction in our tariffs without structural reform to China's predatory trade practices, shame on him. If he thinks that photo op will help him; it will not. If he thinks a temporary, little bump in China buying more soybeans or more steel products will help; it will not. He will lose because one of the best things he has done—something I, many other Democrats, and many other Americans have praised him for—will be gone. I have publicly given the President credit when he has taken on China.

As I said, Americans have lost millions—trillions—of dollars of wealth and millions of jobs to Chinese IP theft. The President has been right to challenge China on those issues. His tariffs have brought China to the negotiating table, but now that China is at the table, President Trump must not walk away without achieving what he set out to achieve.

In short, to cut an unacceptable deal—a weak deal, a photo-op deal—at this stage would be to squander the historic moment to put American businesses, workers, and inventors on a level playing field at long last, and it would be viewed as a capitulation by the President on one of his signature issues. It would be the inverse of what he did on North Korea.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant bill clerk read the nomination of Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

MEDICARE

Mr. THUNE. Madam President, I am sure everyone remembers the Democrats' ObamaCare promise: ''If you like your health care plan, you can keep it.'' That promise was named PolitiFacts' ''Lie of the Year'' in 2013 after it became clear that millions of Americans would not, in fact, be able to keep their healthcare plans. There are no worries about being deceived on the question of keeping your insurance this time around because Democrats are loudly and proudly announcing their intention of getting rid of private insurance with their Medicare for All plan.

At a CNN townhall in February, the junior Senator from Vermont was asked: ''Will these people be able to keep their health insurance plans, their private plans through their employers, if there is a Medicare for All program that you endorse?''

The answer of the Senator from Vermont was no.

Another Democratic candidate for President, the junior Senator from New York, was recently asked: ''Should ending private insurance, as we know it, be a Democratic . . . goal? And do you think it is an urgent goal?''

Her response: ''Oh yeah, it is a goal . . . an urgent goal.''

If you like your health insurance, you definitely will not be able to keep it. In fact, the employer-sponsored insurance that you have today would be illegal under the Democrats' plan. In the minds of Democrats, Americans are supposed to be enthusiastic about Medicare for All because it would give them free healthcare. The problem, of course, is it will not really be free. Americans are still going to be paying for healthcare; it will just be in the form of much higher taxes.

A left-leaning think tank modeled a version of the Medicare for All plan proposed by the junior Senator from Vermont and found that it would cost a staggering $32 trillion over 10 years. To put that in perspective, the entire Federal budget for 2019 is less than $5 trillion. That is Medicare, Medicaid, Social Security, defense spending, education spending, law enforcement, infrastructure—everything. In other words, Democrats are talking about increasing Federal spending by more than 60 percent each year just for healthcare. One Medicare expert estimates that doubling the amount of individual and corporate income tax collected would not be enough to cover the cost of Medicare for All.

I don't know about my Democratic colleagues, but I don't know a lot of working families who could afford to have their tax bill literally double. Of course, this is assuming that the cost of the program would be limited to $32 trillion. The Medicare for All proposal the House Democrats released last week could substantially exceed the $32 trillion estimate because, unlike the Vermont Senator's plan, it includes funding for long-term care, a notoriously expensive part of the healthcare system.

Democrats' last attempt to have the government fund long-term care fell apart before it was even implemented because the program was not financially viable.

It is not just the cost of Medicare for All that is completely unrealistic; the timeline for implementation is as well. House Democrats' proposal would put every American on Medicare for All within 2 years. We have 2 years to completely do away with healthcare as we know it and create an entirely new healthcare program to cover almost every single American.

I am sure most Americans remember the fiasco that was ObamaCare implementation. The Obama administration had 3½ years to get ObamaCare up and running, and they couldn't even build a working website in that amount of time. The ObamaCare exchanges were intended only to cover a tiny fraction of the number of people who would be covered under Medicare for All. The idea that the Federal Government could smoothly transition all Americans over to an entirely new government-run healthcare program in 2 years is absolutely ludicrous. Making the attempt would cause Americans an incredible amount of pain. Every aspect of this proposal would cause Americans an incredible amount of pain.

There are the heavy taxes that would be required to even partially pay for

this program and the bureaucracy and inefficiency that would come with any government attempt to take over healthcare.

Then there is the rationing of care that would inevitably come along. Democrats are promising that these would be plans with generous coverage, but what happens when Democrats don't have the money to pay for that coverage? Well, they can raise taxes higher, of course.

Yet they will also undoubtedly turn to the rationing of care that we have seen in other countries with socialized medicine. The majority leader noted on the floor last week that Britain's National Health Service canceled 25,000 surgeries in the first quarter of last year alone.

I could go on. I could talk about the long wait times Americans would experience under Medicare for All. I could talk about the fact that the Democrats' proposal would end the prohibition on government funding for abortion, meaning that your tax dollars would go toward ending the lives of preborn babies, whether you want them to or not.

I can talk about the threat that Medicare for All represents for seniors because, make no mistake, this program would do away with Medicare as we know it and the promises that have been made to seniors in this country. Seniors would receive care under the new plan, but it would not be the plan they signed up for, and there is no guarantee that they would receive the benefits the Democrats are promising.

If I went on about all the ways that Medicare for All is a bad idea, none of my colleagues would have a chance to speak for the rest of the day or probably tomorrow, for that matter, either. Suffice it to say that Medicare for All would be a very bad deal for the American people.

Let's hope that our colleagues across the aisle halt their mad rush toward socialism before the American people get stuck with this government-run nightmare.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

NOMINATION OF JOHN FLEMING

Mrs. CAPITO. Madam President, I rise today in support of Dr. John Fleming's nomination to be the Assistant Secretary of Commerce for Economic Development, otherwise known as the Administrator of the Economic Development Administration, or EDA.

I view this as an opportunity not only to speak about the qualifications of a former colleague of mine—we served in the House together—but also to highlight the EDA's work in my home State of West Virginia.

The EDA did not always play an active role in West Virginia, which is really odd when you consider that we have no shortage of economic development and infrastructure needs and challenges in our State. Yet, at my insistence and through the collaboration of my staff, we have turned a corner. Today, we are beginning to see real investments that will make a lasting difference in West Virginia.

To highlight the insignificant amount West Virginia received before I became a Senator, in the 2 years prior to my swearing in—2013 and 2014—the State received a total of $200,000 from EDA outside of normal planning grants. These were mostly for technical assistance.

When I came to the Senate and realized this, I made it a top priority of mine to ensure that West Virginia secured more Federal dollars to develop our economy and create new opportunities. I made it clear to EDA at the time that the status quo was absolutely unacceptable.

I am glad to say we are now achieving results, as evidenced by the close to $30 million that EDA has invested in West Virginia since 2015. By bringing everyone to the table and working with State and local economic development officials, we were able to foster a renewed focus on West Virginia needs to the benefit of these local projects.

In addition to EDA's bringing on a State representative, which was crucial—a State representative to focus just on our State, to directly interface with our communities—we are ensuring dollars will go toward projects that will contribute to the future of West Virginia.

At a time when my State and other parts of the country are seeking to reorient their economies toward industries of the future—like technology and advanced manufacturing—these are the kinds of projects that the Federal Government should be prioritizing.

Let me give you a few examples. Just last month, I joined local officials in Greenbrier County to announce $1.5 million in EDA funding to bring potable water to 50 homes and a new business that will employ over 200 people. Keep in mind, these are projects that are collaborative projects. It is not just solely Federal dollars that go into it. There are city, county, and private dollars as well.

In November of last year, EDA announced that it would invest $1 million in the city of Bluefield for the Exit 1 project, a 15-acre development that will serve as a catalyst for business growth and create almost 250 jobs. And 1 year ago in March, the EDA invested close to $5 million in just 1 day to make infrastructure improvements at three separate sites across the State. This funding will promote job growth and retention of jobs in these three counties through added efficiencies in essential infrastructure.

One of these projects I will talk about is in northern West Virginia, where I am originally from, and it will be to rehabilitate the Wheeling Corrugating steel plant complex in Brooke County, all the way near the top of the northern panhandle. This project will, at a minimum, create 95 new jobs, retain 45 jobs, and attract private capital beyond an initial investment of more than $1 million. This isn't funding for a conference of stakeholders or another study just to sit on a shelf and collect dust. These are real dollars going toward real projects. Our local leaders know what they need, and many of the local economic development officials tell me they have been ''studied to death.''

I am happy to say that through our efforts, local and State officials are getting the help they have been asking for. Dr. Fleming and I spoke at length about these efforts when he visited my office and during his nomination hearing before the EPW Committee. He assured me of his commitment to follow Congress's intent to continue the programs under EDA, as evidenced by the increased in funding EDA received through the appropriations process.

As a successful businessman and former Member of Congress from Louisiana—and as he has made clear in his conversations with me and through his testimony—I trust that Dr. Fleming understands the needs of communities like those in West Virginia. I look forward to working with him after he is confirmed, and I invite him, as I have before, to come to my home State to see the great work that is being done with the investments that the EDA has chosen to make in West Virginia.

When the Federal Government serves as a willing partner for all parts of the country, regardless of whether they are urban or rural, we can promote economic growth and opportunities for all Americans. As chair of the EPW Transportation and Infrastructure Subcommittee and as a member of the Appropriations and Commerce Committees, I will continue to advocate for programs that contribute not just to a brighter future for my State of West Virginia but also for the entire country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TITLE X

Mrs. MURRAY. Madam President, since day one of the Trump administration, the Republicans have done everything they can to cater to an extreme rightwing base by undermining women's access to the healthcare they need and the healthcare providers they trust.

They have moved to roll back requirements that insurance companies include birth control as an essential health benefit, which would mean millions of women would go back to paying extra for birth control on top of their coverage. They have held votes on extreme abortion bans that would get in between a woman and her doctor. They have jammed the courts, even the Supreme Court, with partisans who have made clear they share

the extreme and frightening goal of overturning Roe v. Wade and of taking away a woman's constitutional right to safe, legal abortion in the United States of America.

Most recently, the Trump administration has put forward a deeply harmful rule that would jeopardize access to affordable reproductive healthcare for the millions of men and women who depend on title X, our Nation's family planning program, which historically has had bipartisan support. If this rule goes into effect, providers at health centers that receive title X funding will be blocked—gagged—from even telling patients about where and how to get a safe, legal abortion as part of a discussion of reproductive healthcare options.

The rule would also impose new, medically unnecessary requirements that would make it impossible for Planned Parenthood centers, which serve 41 percent of the title X patients, to continue to participate. Four million people—disproportionately young people, low-income women, and women of color—go to title X-funded centers, including to Planned Parenthood centers, for birth control, for lifesaving cancer screenings, for STD tests, and more each year, and this rule puts the care they depend on in jeopardy.

The Republicans here in the Capitol may have no idea what it would mean for patients to lose access to the providers they trust and the affordable care they need, but that is not because those patients and their doctors and their communities have not been speaking up—they have been. People across the country—women and men, doctors, city and county health officials, religious groups, advocates—told this administration as it was developing this rule that they did not want to see providers at title X barred from giving them medically sound information or have patients be denied access to providers they trust at Planned Parenthood because the Republicans think they know better.

The final rule the Trump administration released shows it ignored those who personally know how much it matters to have unbiased, quality care at title X centers, including at Planned Parenthood. The Republicans might have ignored those voices, but we Democrats are not going to. So I am releasing a memo today that will highlight statements that were submitted in strong opposition to this rule by people from across the country. I want to make absolutely sure that the Republicans have every opportunity to hear what patients and providers have to say. I want to give a few examples.

One patient called her visit to a Planned Parenthood to get a Pap smear a ''lifesaver.''

Another wrote: ''Young people like me rely on Title X for access to family planning services at the provider of our choice.''

A mother and sister from Nevada told the Trump administration:

> I too have sisters and four daughters. We are capable, adept, and able to make decisions for ourselves. We want to make informed decisions. . . . Withholding information is misinformation and manipulation.

County health officials and healthcare providers repeatedly urged the administration that this rule would ''interfere in the doctor-patient relationship'' and was ''an infringement on the ethical principles that medical providers adhere to'' with potentially ''irreversible'' impacts in struggling communities.

Since it, apparently, needs to be said on the Senate floor, I would like to remind my colleagues that what these patients, healthcare providers, and community leaders are saying about the importance of a woman's ability to make her own healthcare decisions is not controversial. People in this country overwhelmingly agree that women should be able to get birth control. They agree that no matter how much money you make or where you live, you should be able to get a cancer screening that could save your life and, yes, that women should be able to exercise their constitutional right to safe, legal abortion.

I challenge the Republicans today to read the memo I am releasing. Listen to the women and men whom this rule hurts and from the people who are working to help them get the care they need. Then join the Democrats in standing up against this dangerous, unethical step backward because, right now, it is pretty clear, once again, that the Republicans want to make women's health a political battlefield instead of a serious priority.

Let me be clear. The Democrats are going to keep standing up for a woman's right to the care that is right for her. We are going to continue to stand up for women's access to affordable birth control, for women's constitutionally protected rights, and against those who want to put politicians in the doctor's office, where they do not ever belong. If that is a fight the Republicans want to have, we are ready and so are people across the country, like the brave ones who spoke up against this very harmful rule.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROMNEY). Without objection, it is so ordered.

BORDER SECURITY

Mr. TILLIS. Mr. President, I come to the floor today to talk about what I believe is a real crisis at the southern border. I think there is even a case to be made that we have challenges at the northern border, but I want to focus on what the narrative here in the country has been over the past couple of months, weeks, or really years since I have been here—sworn in in 2015.

I think it is very important. We all know that we have the Executive order from the President or the emergency declaration. He clearly believes there is a crisis at the border—so much so that he was willing to invoke an authority Congress granted beginning in 1976—the National Emergencies Act—and then amended throughout the 1980s. He believes he is within his authority to declare an emergency so that he can get resources down to the southern border as quickly as possible.

It is no secret that I disagree with the method the President is using to provide funding down at the southern border, but make no mistake about it—I do believe there is a crisis at the border, and I take exception to my colleagues on the other side of the aisle who say the President is manufacturing a crisis.

I serve on the Judiciary Committee. I have since 2015. Yesterday, we got a briefing from Homeland Security that was truly startling in terms of the statistics on the number of crossings—a record number of crossings; severalfold; in one case, 10 times—over the past few months. I believe one of the reasons we are seeing the increase in illegal crossings is that those who are coming from countries other than Mexico—who are the majority of illegal crossings today—believe that if they get across the border, there is a very low chance they will be returned to their country of origin.

Speaker PELOSI said it is a manufactured crisis. It is not a manufactured crisis. Take a look at the data. It is a real crisis. The majority leader said the same thing. I think it is a crisis on several levels. One has to do with the number of people coming across the border today.

There is something that is very important that I think was missed by many people in the committee hearing yesterday. There were a number of my colleagues on the other side of the aisle whom I work with—in fact, I worked with Senator DURBIN on a solution for the DACA population. I am not necessarily considered a hawk on all things immigration. But I will tell you that when I hear the senior Senator from Illinois say that everyone who is coming across the border is fleeing a dangerous situation in their country of origin, that doesn't necessarily reconcile with the fact that almost 80 percent—8 out of 10 claims of asylum are adjudicated not to be valid. Eight out of ten claims for asylum are adjudicated not to be valid. And I don't hear anybody on the other side of the aisle saying that we should change the standard for an asylum claim. So for someone to say that everyone coming from these countries is fleeing a fear of some sort of harm by staying in their country or maybe staying in Mexico while they sort things out—that is simply not true.

If you take a look at the severalfold increase in illegal crossings, 80 percent

of them are deemed invalid in terms of a threat to life or liberty from their country of origin based on our standard for asylum. I am not making this up; this is a matter of court records. These cases are being adjudicated by officials who were appointed by Democrats and Republicans, so it is not as though we have someone down there setting a different standard for asylum. Eight out of ten asylum claims for people crossing the southern border are deemed invalid.

But now what is happening is that we are spending so much time adjudicating, detaining, and processing this influx of illegal crossings that we are creating a more dangerous situation because bad actors are getting through. Our resources are being spent trying to process this influx of crossings that we have to stop. How do you stop it? You stop it by preventing future flows. You stop it by changing the treatment of a family who crosses from Mexico being different from a family who crosses from Ecuador, El Salvador, or any other Latin America country. You treat them all the same. You treat them respectfully. You try to give them an opportunity to make their case, but you also send a clear message that if you can't come through the normal asylum process, which means you show up and you lawfully request that your asylum claim be heard, then you cross the border and you put yourself and your children at risk.

We have a crisis at the border. I spent a week—in fact, Senator CORNYN will be speaking after me. Senator CORNYN invited some of us to spend a week down on the southern border, and it was very revealing to see what is going on there—seeing crossings happen right before us, seeing cane along the Rio Grande River that prevents border security from even seeing somebody who may be 10 feet away as they are snaking through in the middle of the night. We were on horseback, we were in lowdraft boats, and we were in helicopters. We saw the crisis at the border in real time. That was last year. Now we have severalfold more people coming across the border.

The crisis has several layers to it. One of the ones that I think every American should get behind is that the crisis is occurring because our resources are being diluted by trying to police these borders and apprehending people, 8 out of 10 of whom will ultimately be deemed not to have a valid asylum claim. While we are tracking them down, the cartels are smuggling millions of doses of poison across our border that are killing people every year. These are the deaths that have been reported, and they are reported, sadly, almost on an annual basis—tens of thousands of people dying as a result of drugs coming across the southern border. Because our resources are spread so thin, I think this will get worse if we don't figure out how to secure the border.

We have deaths of immigrants. Every year on American soil, we recover nearly 300 bodies of people who paid hundreds or thousands of dollars to the cartels so that they could pass through the plazas at the southern border. There is no way you can cross the southern border without paying a fee to these organized crime gangs who literally control the border. In fact, we were told yesterday in the committee that it will cost you $500 to put your foot in the Rio Grande River, and if you don't, you are probably going to die before you ever leave Mexico.

We have no earthly idea of the thousands of people—men, women and children—who die trying to cross the border and can't pay a toll at the appropriate time, or they get caught up in a conflict between the cartels along the plazas of the southern border, but I know thousands of people have died. Over the last 20 years, nearly 10,000 bodies have been recovered on American soil—men, women, and children—because this has become one of the most profitable enterprises for the human smugglers, human traffickers, and drug traffickers in Mexico. That is a crisis, ladies and gentlemen, and it is a crisis that we need to recognize.

Gang members. Thousands of MS–13 gang members have crossed the border illegally, and here is the sad reality. When they successfully cross the border, they go into Hispanic communities. They go into communities, many of them communities where the majority are legally present, and make them more dangerous. They hide there. They coopt them. They actually recruit kids into their gang activities and use minors to do a lot of the illegal activities—distributing drugs, trafficking humans, and all the other illicit activities that the gangs are involved in. That is a crisis.

The human toll is devastating. When we were down at the border, we were told of one massacre—this is one instance—where there was a coyote. That is a person who is responsible for moving people through the plazas, ultimately, to cross the border illegally. In one instance, we had a human trafficker—a human smuggler—who apparently took a lot of the money that should have been passed back to the cartels to pay for the passage of these folks trying to get across the border, and they didn't have the money to pay the cartel.

So what did the cartel do? They ordered the massacre of 72 people. This is one group—one group—of 72 people on the other side of the border who were murdered—men, women, and children. They never got to the United States.

The sad fact is, statistically speaking, after they had spent virtually all of their life's belongings, if they had gotten across the border, 8 out of 10 of them probably wouldn't have had a valid claim to asylum. We have to figure out a better way to help these countries, where these folks want to come to the United States and enjoy our liberties and enjoy our economic blessings. Crossing the border illegally is not the way to do it.

That is why I have consistently supported any measure to secure the border. There is no recommendation that President Trump has made that I haven't supported. I supported a package last year that was nearly $25 billion for people, technology, and infrastructure to secure the border—to build all-weather roads, to build walls where necessary, or structures, to invest in technology, and to provide more personnel to secure the border—not to harm these folks but to help them, to actually protect people in the border States, but also to send a very clear message: Don't try to come to this country illegally, where your claim for asylum is more likely than not going to be rejected, and the likelihood that you and your children could be hurt is very high.

So there is a crisis at the border. We need to fund the President's priorities. The President's immediate priorities require $5.7 billion to fully fund his 10 key priorities at the border. I support that. I applaud the President for taking the steps he did. I am going to do everything I can to continue to come down here and send the message to those who may be contemplating making the dangerous trip—from whatever country where they may be living—with their children and potentially being harmed, to not do that. Let's find another way to help them and their country of origin. Let's find another way to let them request asylum that doesn't involve making the dangerous trip and then, potentially, being denied.

I also wanted to come to the floor today to send a very clear message to the President and to the administration: I support the border plan. I support funding the wall, people, technology, and infrastructure proposals that the President has made. We just have to do it in a sustainable way, and we have to do it in a way that goes far beyond the $5.7 billion we need right now to fund the President's immediate priorities.

I want to end by thanking Senator CORNYN. Senator CORNYN said something yesterday that I think was extremely important. It is interesting for somebody in a State, maybe in New England or far, far away from the border, to say: There is no crisis. We don't have an issue down at the border.

I have to believe that somebody like Senator CORNYN, who knows this issue, knows the threat, knows the impact, and knows the human toll better than just about any of us, can say: Why don't you come down there and spend some time with me? Why don't you do what so many others have done to see it firsthand?

Now, let's get out of the politics and saying that it is a manufactured crisis the President is acting on. It is a real crisis. Human lives are at stake. So many lives have been lost. We have to stop the carnage, get the politics out of it, secure the border, and move on to immigration reform and so many other things that we should do.

With that, I yield the floor, and, again, I thank Senator CORNYN for all the great work he has done on this issue and for his leadership. I am glad to follow him into any issue that, hopefully, will get us to secure the border.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, at the risk of sounding like the mutual admiration society, let me express my appreciation to the Senator from North Carolina, who gave an outstanding presentation, talking about the crisis that exists at our southern border. I really can't improve on it, but I will try.

Fortunately, Senator TILLIS is one of those rare Senators who actually has traveled down to the border at my invitation. As he said, he rode horseback as we tried to find our way through the carrizo cane, which obscures visibility for the Border Patrol, and he saw it for himself. I appreciate his bringing the benefit of that experience here to the floor and adding to this important debate.

I was struck by a hashtag I saw being used in the House of Representatives. It is ''FakeEmergency''—hashtag ''FakeEmergency.''

Well, let's mention two sets of parents. For the 7- and 8-year-old boy and girl who recently died in CBP custody at the border who made their way from Guatemala, I don't think this is a fake emergency for them. As Customs and Border Protection Commissioner McAleenan said, many of these immigrants who come all the way from countries like Guatemala suffer from exposure, including dehydration. Many of them are physically or sexually assaulted. Then, there is the danger of infectious diseases, because many have not been vaccinated for common childhood diseases that American citizens would be protected from.

Unfortunately, they are a commodity to the criminal organizations that transport people for roughly $5,000 per person. The cartels—the criminal organizations—are commodity agnostic. They will just as soon usher a migrant from Central America up here who wants to join a family member and perhaps find a job. They will just as soon charge somebody who will ultimately be trafficked and become the victim of modern-day slavery, involuntary servitude, or sex slavery, or they will be happy to move drugs, heroin, methamphetamine, cocaine, marijuana—you name it. In fact, 90 percent of the heroin that comes into the United States comes from Mexico, and of the 70,000-plus Americans who died from drug overdoses just last year, according to the Centers for Disease Control, a substantial portion was from the opioids. In other words, that came from Mexico—whether they be pills, fentanyl, or heroin, which is perhaps the cheapest form of opioid.

The Senator from North Carolina and I serve on the Judiciary Committee, and we heard at length from the Commissioner McAleenan of Customs and Border Protection. The picture he painted was pretty bleak, but it bears repetition. Unfortunately, around here it is hard to know when people are listening. Sometimes you have to say the same thing over and over and over before it begins to penetrate people's consciousness. But this is important. So we need to emphasize this.

Many migrants make this arduous journey for days, weeks, or sometimes for months, traveling without food or water. When they arrive, they are often sick and require extensive medical treatment. Of course, there is, as I indicated a moment ago, the horrific stories of physical and sexual abuse. The percentage of women and girls who are sexually abused en route from their homes in Central America is revolting, to use a word.

The Border Patrol spends a vast amount of their time dealing with the human needs of children. In other words, these are law enforcement officers who are basically trying to supply diapers and juice boxes to children who are coming with their families and overwhelming our capacity at the border. While the cartels exploit the fact that the Border Patrol is tied up with this sort of processing of asylum seekers, the drugs come into the country. That is part of the cartel's plan. They have studied our laws. They know where there are gaps in coverage. They know what they can do to distract law enforcement officers so that drugs and human trafficking can get through the border.

Despite all of this and despite the facts that the Senator from North Carolina detailed, we still hear our friends on the other side refusing to engage or offer any solutions whatsoever. As a matter of fact, one of our colleagues on the Judiciary Committee yesterday said: We need to preserve the two things that are the biggest obstacles to getting to a solution. We need to preserve those. In essence, what she was saying is that we need the Border Patrol not to secure our border. We need the Border Patrol to just wave people on through, like a traffic cop. As long as we have these gaps in our asylum laws where we treat people from noncontiguous countries differently than we do from Mexico or Canada and as long as they can wait for years before their asylum claim can be finally adjudicated by an immigration judge, the criminal organizations are winning. They have won because they can successfully place a person in the United States, notwithstanding our laws, by overwhelming our resources at the border and in our interior.

I have talked about the need to increase border security many times on the floor, and I know I risk sounding like a broken record, but as long as we have people in the other body sending out hashtags on social media calling this a fake emergency—when President Obama himself, in 2014, called this a humanitarian crisis—it is going to be necessary, I am afraid, to keep telling the story and talk about what is necessary in order to bring security to our southwest border.

My State has 1,200 miles of common border with Mexico. Our relationship with Mexico is very important because they are one of our main trading partners. There are a lot of good and important things that come back and forth across the border in terms of people legally visiting the United States and in terms of commerce and trade. I have seen one estimate that about 5 million American jobs depend on trade with Mexico. It is not just Texas, either. But the toll that the current status of our immigration laws has on the lives of immigrants crossing our border is real, and the strain it puts on our ability to engage in legitimate trade and commerce to flow freely through our ports is real as well. All of these need to be addressed and without delay.

Let me talk a little bit about the records that have been broken. We saw last month alone that 76,000 people illegally crossed the border and were apprehended by U.S. Customs and the Border Patrol—76,000 people. According to the Commissioner, we are on track to see 600,000 to maybe 650,000 during the next calendar year. This is an 11-year high and averages more than 2,000 people a day. This is not a record we want to be proud of.

We have seen a growing number of family units. The reason why the cartels and criminal organizations bring family units is because they know what our law requires in terms of separating the children from the adults and then placing the children with a sponsor in the United States, only to have them raise their asylum claim in front of an immigration judge years hence. As I said, many simply don't show up for that, and so game over.

We have seen a growing number of family units coming across the border, a 338-percent increase in 2018. The cartels have studied our laws. They are advertising down in Central America, saying: If you want to come to the United States, all you have to do is come as a family unit. We have studied American law, we know where the gaps are, and we are going to exploit them.

Already Border Patrol has apprehended more family units than in all of 2018, and the border regions of Texas are feeling the strain. Our local officials—the mayors, the county judge—and our medical facilities are just not designed for this massive influx of humanity. In the Rio Grande Valley, family unit apprehensions have increased 209 percent since this time last year. Here is a staggering figure: In El Paso, TX, it is a 1,689-percent increase.

As Secretary Nielsen said yesterday, testifying in front of the House, our border is at the breaking point. Our capacity to deal with this influx of humanity is creating a genuine crisis. These are not just percentage points or numbers; they illustrate the human

misery and the challenges of the dedicated law enforcement personnel along the border and also the folks who work trying to deal with the children, whether it is providing them medical care or trying to find them a safe place to live in the United States. This is not a manufactured crisis. This is a real crisis.

In a normal political environment, these numbers would raise the alarm bells, and we would take action—we would actually do something about it—but we aren't operating in a normal political climate, to be sure.

Back in 2006 and 2008, Republicans and Democrats voted on something called the Secure Fence Act. It wasn't particularly partisan or political. This year, the Speaker of the House, NANCY PELOSI, called physical barriers ''immoral.'' The Democratic leader of the Senate, the Senator from New York, said not one penny was going to be appropriated for any physical barriers along the border.

For those who would argue this is a fake crisis, I would ask them to check with the Texans who live across the border and deal with this every day.

I recently got an email from a friend of mine who has a ranch outside of San Antonio, my hometown. He said he and his wife basically have to arm themselves, and they have to take precautions against people coming across their land because they don't know whether it is going to be some hungry migrant who is just simply looking to find their way to San Antonio or to Houston and then north or whether it is going to be people wearing backpacks carrying fentanyl and heroin. They just don't know, so they have to prepare. They basically have to lock their doors, and they are captives in their own house.

So what has changed since we talked about this back in 2006? What has changed?

My question is more of a rhetorical one because we know Democrats will stop at nothing to prevent President Trump from delivering on his promise to provide border security, even if it means turning their backs on something they have historically supported.

As you might imagine, I have made a point to spend a lot of time in communities along the border. I have talked to the experts—our Border Patrol agents, sheriffs, mayors, landowners, and countless others—on how to best deal with this security and humanitarian crisis. These are the people who know best. They are the experts. They know how best to secure the border.

They will be the first to tell you that when it comes to border security, one size does not fit all. I have mentioned before my friend Judge Eddie Trevino from Cameron County. I was in a meeting with Senator CRUZ—my colleague from Texas—local stakeholders, elected officials, along with Customs and Border Protection and Border Patrol. What Judge Trevino told us then was: Look, if it is the experts, the Border Patrol agents, telling us what we need, we are all in, but if it is people from Washington, DC, trying to micromanage the border, who don't know anything about it, then count us as skeptical.

What we have heard from the experts is that border security is a combination of three things: barriers in hard-to-control places, people, and technology.

While a physical barrier may work best in an urban or high-traffic area, it doesn't make any sense in places like Big Bend National Park. Anybody who has been out west to Texas knows the cliffs over the Rio Grande River, in parts, can rise to 30 feet. It doesn't make much sense to put a physical barrier there.

The determination of what is needed and where it is needed should not be a top-down Federal mandate. It should come from the experts who know the threats and the challenges along every mile of the border and whom we entrust on a daily basis to secure it.

We should continue to listen to our vibrant border communities, which are the economic engine of the region, and ensure that we can maintain the flow of legitimate trade and travel also through these areas.

Implementing a solution that would allow our law enforcement experts to work with the Federal Government on the right combination of technology, people, and physical barriers is what we ought to be focusing our attention on.

I would add just a footnote to that on dealing with this problem of people abusing our laws on asylum. Again, the cartels have figured this out. I have worked with my friend HENRY CUELLAR, who is perhaps one of the last remaining Blue Dog Democrats in the House of Representatives. He represents Laredo, TX. We actually introduced a bill called the HUMANE Act, which would establish parity of treatment of immigrants coming from noncontiguous countries like Central America. Unfortunately, we weren't able to get that passed.

We could fix this pretty quickly, but it requires our Democratic friends to drop their Trump derangement syndrome and come to the negotiating table in support of something they have historically been for during this time of need.

The crisis is staring us in the face, and it demands action. I can only hope our colleagues across the aisle will answer that call.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

NOMINATION OF ERIC E. MURPHY

Mr. BROWN. Madam President, judges are making decisions around the country right now on voting rights, on civil rights, on LGBT rights, on women's rights, on healthcare, on sentencing, and on corporate power. Several times over the last couple of years, this body has said no even though almost every Republican in this body—all with good, government-paid health insurance, all with good salaries, all well-dressed, all of the above—has tried to repeal the Affordable Care Act or take away Medicaid or take away consumer protections so that people who have preexisting conditions would have their insurance canceled. They all stood on that.

Do you know what? Because millions and millions were affected, enough people in this country said no and pushed back and stopped the Republican majority from taking away the protections for preexisting conditions, and they stopped insurance companies from canceling people's insurance who got too sick and too expensive and who could never get insurance in the first place.

So do you know what those in the Republican majority did? They went through the courts. They voted for and supported Supreme Court Justices and district judges and circuit judges who have put their thumbs on the scales of justice and have picked corporations over workers, chosen Wall Street over consumers, and chosen insurance companies over sick people. Over and over again, this body tried to do it, but democracy rose up and said: No, you aren't going to take our health insurance. No, you aren't going to let the insurance companies run everything. No, you aren't going to let Wall Street run everything. No, you aren't going to do it.

Do you know what? Because they couldn't do it through Democratic participation and because they couldn't do it by going down to MITCH MCCONNELL's office, who is the Republican leader—they couldn't walk down the hall, all of their lobbyists, and stop that from happening—they decided to try doing it through the Federal judiciary. Remember what I said. They have put their thumbs on the scales of justice. They have chosen Wall Street over consumers. They have chosen insurance companies over sick people. That is what this vote is about. That is what this judge is all about today.

This body confirmed a judge yesterday who would limit rights for a generation. These are judges who are almost all inexperienced. These are lawyers who are in their thirties or early forties. They are not who we used to pick. President Obama used to do this; President Bush often did this; and President Bush, Sr., used to do this. They would pick sort of—''prudent'' would be the word that President Bush, Sr., would use—wise, prudent lawyers who believed in public service and didn't believe in some far-right agenda

whereby they would put their thumbs on the scales of justice and hurt workers and hurt consumers. They picked middle-of-the-road, thoughtful, prudent judges who actually believed in civil rights—shocking—who actually believed gay people should have a chance in this country, and who actually believed workers should get a fair shot.

Do you know what? Because they have picked judges who have put their thumbs on the scales of justice, we see the rich are getting richer and richer, and we see the middle class in New Hampshire and in Ohio and in Nebraska getting squeezed over and over and over again.

We see what has happened to this country. We see lobbyists going down the hall to Senator MCCONNELL's office, who is the Republican leader, writing tax bills. Do you know what that tax law does that President Trump signed? Do you know what it does? It says, if a company shuts down in Lordstown, OH, which General Motors has done this week—4,500 people have lost their jobs—General Motors will pay a tax rate of 21 percent. Do you know what? Under the Trump tax law, they can move south of the border and pay a tax rate of 10½ percent.

In other words, they get a 50-percent off coupon. Companies that shut down production in Omaha or in Manchester or in Cleveland and move overseas get a 50-percent off coupon on their taxes. That is what these fights are about. These fights are about the special interests that run this Senate, the companies that outsource, and the drug companies and Wall Street. Heck, the White House looks like a retreat for Wall Street.

The PRESIDING OFFICER. All time is expired.

Mr. BROWN. Madam President, I ask for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN. This issue today we are about to vote on is about Eric Murphy. It is about confirming a very young, very inexperienced lawyer in Cleveland whose claim to fame is that he argued against marriage equality in the landmark Obergefell v. Hodges case. It is why Jim Obergefell has spoken out against his nomination.

Here is what he said. He actually argued that marriage equality would be disruptive—disruptive—to our Nation. Telling people who love each other that they can marry is disruptive to our Nation? Who does that harm? Why would it matter? A couple in Atlanta or Decatur or a couple in Sioux Falls or Topeka or Omaha or Lincoln or Manchester or Laconia or Cleveland or Mansfield—why would it matter? Why would it be disruptive?

This gentleman whom we are about to—I know every Republican, except maybe one courageous one, will vote for him because that is how we do it nowadays. You can't win through the democratic process; you win through the back door of the judiciary. That is what they are going to do. They are going to vote for a man who said it is disruptive to allow people who love each other to marry. He will make decisions on the rights of LGBTQ couples. Some in this body like to claim they support people regardless of their orientation. He has moved to restrict access to contraceptives for women. We are going to have women Republicans vote for somebody like that? He has defended Big Tobacco, as if there is any defense for addicting our children to tobacco.

We have had huge public health victories, but let's go back. Let's go back on voting rights. Let's go back on supporting public health. Let's go back on equal rights for people. Let's go back on civil rights. Is that what we are going to do today?

But maybe most despicable, on this day today 54 years ago, in Mr. Figures' State of Alabama—my wife has visited this bridge five times, crossed it since then—54 years ago, JOHN LEWIS, our colleague down the hall—you know, just on the other side of the special interest majority leader's office down the hall—JOHN LEWIS—I think he was 25 years old at that point—got his head beat in by Alabama State troopers. Do you know why? Because he wanted people to register to vote. He wanted people to have their full rights. That happened 54 years ago today—the day we are going to vote on Mr. Murphy.

Mr. Murphy defended Ohio's voter purge, taking registered voters off the rolls. He led the efforts to take away Golden Week in Ohio, passed by a Republican legislature on a bipartisan basis. He defended restrictive voter ID and provisional ballot rules.

This weekend, Connie and I walked across the Edmund Pettus Bridge. We saw foot soldiers who had been beaten up 54 years ago as they were trying to cross this bridge. We listened to their stories. These men and women were beaten. Many of them were 15, 16, 18, 20 years old. They did that so that in the future, they and their children would have the right to vote.

But judges around this country, judges supported by this majority—none of whom think for themselves when it comes to voting on these nominations—all the way up to the Supreme Court, they are dismantling these rights.

I can't imagine my Republican colleagues who came here from Georgia and Kansas and Nebraska and Montana—and I think he is going to vote right—I just can't imagine they came here thinking: I am going to take the oath of office—right in that corner—and do you know one of the things I am going to do? I am going to vote to restrict voting rights. I am going to vote to tell gay people they can't marry. I am going to vote to take away workers' rights. I am going to vote for judges who put their thumbs on the scales of justice and choose corporations that outsource jobs over workers. I am going to choose Wall Street over consumers. I am going to choose big health insurance companies, with their multimillion-dollar salaries for executives, and hurt sick people.

I can't believe that is why any of you came. So please vote no on Murphy. Please. As the 54th anniversary of Selma happens right about this time of day—I think they tried to cross the bridge around noon—I ask my colleagues to vote no.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The Senator from Georgia.

Mr. ISAKSON. Madam President, I ask unanimous consent to speak for 60 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ISAKSON. Madam President, I just want to say to the gentleman from Ohio that I have been to the Edmund Pettus Bridge. I went there with JOHN LEWIS. JOHN LEWIS is a great American. I supported title V and the Civil Rights Act. So I appreciate your remarks and your candidness, but all of us should not castigate all the rest of us and throw us in groups because all of us are free thinkers, independent thinkers, and are committed to the betterment of the United States of America and seeing to it that everybody has a vote who deserves a vote, and I will always fight for that.

I yield the floor.

Mr. BROWN. Madam President, I ask unanimous consent to speak for 30 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN. Madam President, I appreciate Senator ISAKSON's work as the leader of the Veterans' Affairs Committee, his bipartisan work to advance the causes of veterans in our country.

I was in Columbia, SC, last week, and a veteran who had attempted suicide seven times told us that veterans are more than paintings on the wall, and Senator ISAKSON embodies that as somebody who advocates for those veterans. I thank him for that.

Mr. ISAKSON. I thank the gentleman.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Murphy nomination?

Mr. SCHATZ. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. PERDUE).

Mr. DURBIN. I announce that the Senator from Alabama (Mr. JONES) is necessarily absent.

The PRESIDING OFFICER (Mr. YOUNG). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 39 Ex.]

YEAS—52

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Blackburn	Graham	Roberts
Blunt	Grassley	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Isakson	Scott (SC)
Collins	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	McConnell	Toomey
Cruz	McSally	Wicker
Daines	Moran	Young
Enzi	Murkowski	
Ernst	Paul	

NAYS—46

Baldwin	Hassan	Sanders
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Booker	Kaine	Shaheen
Brown	King	Sinema
Cantwell	Klobuchar	Smith
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Reed	
Harris	Rosen	

NOT VOTING—2

Jones	Perdue

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

The PRESIDING OFFICER. The time until 1:45 p.m. is equally divided.

The Senator from Iowa.

SHOOTING OF BIJAN GHAISAR

Mr. GRASSLEY. Mr. President, I want to speak to my colleagues about two things. One will take less than 1 minute, and the other will take about 5 or 6 minutes. The first one deals with why I can't get answers for citizens of the United States for the murder of a son.

In 2017, the U.S. Park Police fatally shot Bijan Ghaisar, after a minor traffic accident led to a police chase in Virginia. Since then, his family has been looking for answers, but they have only encountered silence.

The FBI took over the investigation but has not shared any findings or even an update with the family. So last December, I asked the FBI where things stand. Even this Senator got silence from the FBI.

Investigations into the use of deadly force should be handled in a manner that reinforces accountability and public confidence in law enforcement. The FBI's silent treatment is concerning. The Ghaisar family, Congress, this Senator, and the public shouldn't have to wait years to get an answer from the FBI.

FILING SEASON

Mr. President, on the subject of taxes, we are now in our sixth week of the tax filing season. Over 50 million Americans have filed their tax returns. As in previous years, the IRS is moving forward in the filing season at a pace very consistent with previous years. In some aspects, they are exceeding benchmarks set by last year's filing season. This has been one of the most scrutinized filing seasons I can remember. In some ways, that is understandable.

As I have alluded to, this is the first filing season after our Tax Code received the largest overhaul in three decades. After the massive tax bill we passed, you would expect some difficulties. The filing season began shortly after our government experienced the longest shutdown in history. So the longest shutdown in history, added to the fact that we have a new tax bill, makes this tax filing season very different. Despite these factors, this filing season has run relatively smoothly.

Consistent with previous years, the IRS has processed over 95 percent of the returns the Agency received, and 80 percent of those returns were sent a refund. Based on data covering returns filed through February 22 of this year, over $121 billion in refunds have been returned to the American taxpayers, with an average refund of $3,143.

This is up slightly over the 2018 filing season. I only mention this because some of the media and some here in the Congress have been obsessing over the size of refunds.

As I pointed out many times, obsessing over the average size of refunds is simply wrongheaded and misleading. A week-to-week focus on the size of tax refunds makes no sense, given how wildly refunds can vary early in the filing season.

Recent filing season data makes this very clear. Within a week, the average size of refunds went from being down 17 percent to being a little over 1 percent higher than last year so far this filing season.

We have over 5 weeks of filing season to go. I expect there will continue to be variations in the data. Most importantly, the size of the tax refund is a stupid barometer of how taxpayers are faring this season compared to last—in other words, whether they had a tax increase or a tax decrease as a result of the tax bill of December 2017.

A refund merely represents the extent to which a taxpayer has overpaid their taxes during the course of the year. It absolutely provides no insight into whether a taxpayer's tax burden has gone up or, for that matter, down.

I hope the relative silence in the media about the filing season data released at the end of last week indicates that that media and Members of Congress who have complained about it finally come to understand all of this—that a refund up or down has nothing to do with whether you have a tax increase or decrease. Any further swings up or down will not generate sensational headlines that only confuse and misinform taxpayers. Those headlines have misled the American people.

I hope this recent data will help put to rest accusations of some of my Democratic colleagues that the IRS sought to manipulate withholding tables to goose paychecks in 2018, because nothing could be further from the truth.

The primary objective of the IRS in updating withholding tables was for a very sound reason of making sure that they are as accurate as possible. A report by the Government Accountability Office bears this out. In fact, there is not a single indication in the GAO report to suggest otherwise.

The IRS followed the same process and procedures in updating withholding tables this year as it has in the previous years. Moreover, the report documents the extensive outreach that Treasury and the IRS conducted to inform taxpayers of the changes and to suggest that taxpayers check their withholding.

Their outreach included updating and creating pages on their website using IRS email LISTSERVs and social media campaigns and sharing withholding materials with partners, including tax-related groups, large employers, employer associations, and organizations representing small businesses. So you see, they went to great lengths to alert the public to observe changes in the tax tables.

However, no withholding table has been or ever will be perfect. Common sense dictates that. Every wage earner may be affected a little differently under the new law based on his or her personal circumstances. Because of personal circumstances, if there are 157 million tax filings, then, there could be 157 million different answers.

The IRS continues to consider whether future improvements to the withholding structure may be necessary. I support these efforts and will monitor the outcome as chairman of the tax-writing Finance Committee.

If the tables had not been updated, my guess is that our colleagues on the other side of the aisle would be singing a different tune. Instead of criticizing efforts to ensure that withholding tables more accurately reflect the new law, they would be claiming that we were trying to back-load the tax benefits, tricking taxpayers into believing their tax cut was larger than it was through oversized refunds.

This actually may have been the right thing to do politically, but it would have been wrong, as a matter of principle or tax policy, and, quite

frankly, an organization like the IRS, usually far removed from politics, would not be involved in a political scheme like that.

One exception to that is how the IRS, under Ms. Lerner, treated conservative organizations during the 2010, 2011, and 2012 years.

The excess tax withheld from paychecks throughout the course of the year doesn't belong to the government. That is common sense. That belongs to the taxpayers who earned it. The government shouldn't intentionally withhold more than necessary.

I am proud of the work my colleagues did to update the Tax Code last Congress. We delivered meaningful tax relief to middle-income taxpayers and to job creators. This has contributed to strong economic growth benefitting all Americans, hopefully, for years to come.

The Treasury Department and the IRS has done good work to implement the law in a timely fashion. They will continue that good work to ensure that Americans receive their refunds as quickly as possible.

As we progress toward the end of the filing season in April, the data being reported will fluctuate as taxpayers across a range of circumstances submit their returns. I hope that every time there is movement in the data, our friends across the aisle, and, more importantly, the misleading media will keep in mind two important facts that I mentioned earlier. First, tracking refund data on a weekly basis makes no sense, given how widely the data can vary. Second, and lastly, the focus on the size of the refunds is wrongheaded since it provides no indication as to whether a taxpayer's tax bill has gone up or down between 2018 filings and 2019 filings.

Most everyone was oddly silent when the last batch of good data was released. So maybe we will not hear any more of this misleading information from the media. I hope we can have a more responsible and accurate discussion in the weeks ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

BACKGROUND CHECKS

Mr. CARDIN. Mr. President, I urge the Senate to take up legislation to require universal and complete background checks for individuals seeking to purchase a gun. I am pleased that the House recently passed this legislation, and it is well past time for the Senate to act.

Rarely has a month gone by without a mass shooting, and many communities are ravaged daily by gun violence that does not make the news headlines. Individuals have used firearms to take countless innocent lives in concerts, churches, and even elementary schools. By now, these incidents are etched in our memories: Santa Fe, Parkland, Las Vegas, Orlando, San Bernardino, Sandy Hook, Pittsburgh, and Thousand Oaks.

In Maryland we saw tragedies that occurred in the Capital Gazette office in Annapolis. We, as a nation, must act to stem the tide of bloodshed and the hatred that drives it. We cannot allow such massacres to become routine in our society.

We have the ability to end the tragic cycle of violence, but it will require us to come together in full urgency and honesty. I know we can protect innocent Americans from further senseless gun violence while still protecting the constitutional rights enjoyed for hunting and self-defense. Through commonsense gun safety reforms that would make background checks more efficient and close loopholes, I am confident we can do just that.

Let me start with a little history, as provided by the Brady Campaign. The Gun Control Act of 1968 established a framework for legally prohibiting certain categories of people from possessing firearms. The list of prohibited persons has grown over the years and now includes categories such as felons, fugitives, domestic abusers, and those found by the court or other tribunal to be seriously mentally ill.

Only in 1993, with the passage of the Brady Handgun Violence Prevention Act, did Congress provide the public with a presale process for checking whether a prospective firearm purchaser is legally able to purchase the firearm.

Since the Brady Law took effect, it has blocked more than 3 million prohibited gun sales and processed over 278 million purchase requests. When someone goes to a federally licensed dealer to buy a gun, the retailer contacts the FBI to run a background check. The FBI checks the National Instant Criminal Background Check System to see if they are a convicted felon, fugitive, domestic abuser, or other prohibited purchaser.

If the system reveals that the buyer is legally barred from owning a gun, then, the sale is denied. Simply put, the Brady Law prevents guns from getting into the hands of dangerous individuals.

The Brady Law has blocked more than 3 million gun sales to prohibited buyers, helping to save countless lives, but the law doesn't apply to all gun sales. Instead, only Federal firearm licensees approved by the Bureau of Alcohol, Tobacco, Firearms, and Explosives are required to conduct background checks on gun sales. The Brady Act background check requirement applies only to licensed dealers, allowing transactions conducted by private, unlicensed sellers to be completed without any check. Private, unlicensed sellers need not conduct any check under current law.

However, the Brady Law was enacted before the rise of the internet. America has changed, and our Nation's gun laws need to change with it. Today, unlicensed gun sales made online and unregulated and unchecked contributed to one out of every five gun sales. That is simply wrong. Those sales can avoid the background check.

Passing legislation to expand background checks to nearly every gun sale, including those conducted online at gun shows and through private transfers, should be the top priority in Congress for commonsense gun safety legislation to save lives.

It is long past time to expand lifesaving Brady background checks to every gun sale. The public agrees. A 2018 study showed that 97 percent of Americans support expanding background checks—97 percent. We don't get any higher than that.

The Senate should follow the lead of the House, which recently passed the legislation to expand criminal background checks. In the Senate, I cosponsored S. 42, the Background Check Expansion Act. This bill, which passed the House, would expand Federal background check requirements to include the sale or transfer of all firearms by private sellers, just as licensed dealers are required to conduct under the existing Brady Law.

The bill requires background checks for sales or transfers of all firearms from one party to another, even if the party is not a federally licensed dealer. This requirement extends to all unlicensed sellers, whether they do business online, at gun shows, or out of their home.

According to the Brady Campaign, in any given year in the United States, more than 120,000 Americans are shot in murders, assaults, suicides and suicide attempts, unintentional shootings, or police actions. Of these, 35,000 result in death. Over 17,000 of those injured or killed are children and teens. On average, 34 people in America are murdered on account of gun violence every single day.

Mass shootings often shine the spotlight on the United States and its position as a global outlier. The number of firearms available to American civilians is estimated to be at around 310 million, according to the National Institute of Justice. According to the Small Arms Survey, the exact number of civilian-owned firearms is impossible to pinpoint because of a variety of factors, including arms that go unregistered, the illegal trade, and global conflict. However, estimates indicate that Americans own nearly half of the 650 million civilian-owned guns in the world today. Half are here in the United States. Our Nation is well armed.

Americans own the most guns per person in the world, with about 4 in 10 saying they either own a gun or live in a home with guns, according to the 2017 Pew Center study, and 48 percent of Americans say they grew up in a House with guns. According to the survey, a majority, 66 percent, of U.S. gun owners own multiple firearms.

The No. 2 country for the world's largest gun-owning population per capita is Yemen, a country that is in the throes of a years-long civil conflict,

and they trail significantly behind us. They have 54 guns per 100; we are at 88 guns owned per 100.

When it comes to gun massacres, the United States is an anomaly. There are more public mass shootings in America than in any other country in the world. The United States makes up less than 5 percent of the world's population but holds 31 percent of global mass shooters. In Australia, for example, four mass shootings occurred between 1987 and 1996. They decided to do something about that so they passed sensible gun safety legislation. Australia has not had a mass shooting since then.

Gun homicide rates are about 25 times higher in the United States than other developed countries. According to the recent study of the American Journal of Medicine, the United States has one of the highest rates of death by firearm in the developed world, according to the World Health Organization data. The calculations based on the OECD data from 2010 showed that Americans are 51 times more likely to be killed by gunfire than people in the United Kingdom. We need to do something about this. We can't sit idly by.

Congress should act today to close the so-called Charleston loophole. The Senate should once again follow the House's lead here. A particularly tragic example of the consequences of this loophole was the racist hate crime murder of nine people at the Emanuel African Methodist Episcopal Church in Charleston, SC, that occurred in 2015. In that tragedy, the shooter was not legally allowed to possess a firearm due to drug charges but still was able to acquire his gun from a licensed dealer who made the decision to transfer, after the current 3-business day period expired, despite not having received a definitive response from the background check system.

Unfortunately, the sale to the shooter after 3 days fell into what is known as the default proceed sale, and this was not an isolated incident. Since 1994, gun sellers proceeded with between 3,000 and 4,000 such sales every year simply because the information has not gotten back on the background check.

I would note that in most cases, a licensed gun dealer receives notification from the system about a prospective buyer within a few minutes. In less than 10 percent of the cases, the examination may require additional time to complete the background check if the information the transferee provided is incomplete, inaccurate, or otherwise defective. Under current law, a licensed gun dealer conducting a background check on a prospective purchaser may sell the firearm to the purchaser after 3 business days, even if they have not received a reply in regard to the background check. This is wrong, and Congress should change the rule as the House has done.

I agree gun laws alone cannot solve the problem, but gun laws will make a difference. Yes, there is no single answer, but we should be united in our willingness to do what we can to save lives.

I agree with my colleagues on both sides of the aisle that we must devote more resources to mental health priorities to identify young people who may be about to cause harm to themselves or others. Let's attack this problem from multiple directions. We cannot raise our hands in the air and give up because there is no one law that can solve the problem.

Sitting on the sidelines is not an option when our children are being killed—sometimes by other children—and surrendering to the false logic that the problem is too big to address falls well short of what the American people deserve. We were sent to our Nation's capital to make tough decisions and to do the right thing.

The American public is letting their voices be heard on this issue. Thoughts and prayers might console the grieving for a moment, but action speaks louder and will have lasting impact.

From my hometown of Baltimore to many towns across America that have had their names in the headlines because of gun-related tragedies or mass shootings, people are calling on Congress to act.

What we are proposing are logical next steps to address the deadly problem that has been festering in this country far too long. Too many lives have been lost. Let's do the right thing in the Senate and immediately take up legislation to require universal and completed background checks for individuals seeking to purchase a gun.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

NOMINATION OF JOHN FLEMING

Mr. BARRASSO. Mr. President, I rise in support of the nomination of John Fleming to serve as Assistant Secretary of Commerce for Economic Development.

The Assistant Secretary serves as the Administrator of the Economic Development Administration, the EDA. It is the only Federal Agency focused exclusively on economic development. It works directly with communities in regions to help them build capacity for economic development based on local business conditions as well as needs.

As a physician, entrepreneur, businessman, military veteran, and four-term Member of Congress, Dr. Fleming is incredibly well qualified to lead the EDA. Dr. Fleming has launched several companies, which today employ over 500 people in Louisiana. Dr. Fleming's nomination has drawn praise from numerous political, educational, and economic development leaders in his home State of Louisiana.

Don Pierson, the Secretary of Louisiana Economic Development, wrote:

> Dr. Fleming has been instrumental in the development and execution of projects, which have taken root in Northwest Louisiana and spread across the United States.

He goes on to say:

> His experience in public policy, business and his military background serve as the right attributes for leading economic development efforts.

The Environment and Public Works Committee reported Dr. Fleming's nomination favorably to the Senate with a substantial bipartisan majority, and we have done it twice, first on October 1, 2018, during the 115th Congress, and then next on February 5 of this year, after he was renominated this Congress. Under normal circumstances, Dr. Fleming would have been confirmed and in office last fall. Instead, our colleagues on the other side of the aisle have blocked his nomination ever since it was first placed on the Senate Executive Calendar more than 155 days ago. Now, we had to file cloture and go through repeated delays on a well-qualified nominee who was twice reported by a substantial majority of the Environment and Public Works Committee.

Dr. Fleming's treatment by our colleagues on the other side of the aisle is similar to the obstruction of John Ryder, whom we finally confirmed last week to serve as a member of the Board of Directors of the Tennessee Valley Authority. He had waited an unconscionable 388 days for a vote on the Senate floor.

In a column last Friday, the Wall Street Journal's Kimberley Strassel noted that 388 days is ''100 days longer than it takes a new human being to come into the world.'' She continued:

> Even at the last, Democrats were stringing out the process, refusing unanimous consent to a floor vote, requiring Republicans to file for cloture, which entails more delay.

Then she points out that ''after all that, [Mr. Ryder] was confirmed—by a voice vote with no audible dissent.''

Let's not delay any longer. Let's stop this spectacle of obstructing well-qualified nominees solely for obstruction's sake. I urge my colleagues to vote with me in support of the nomination of John Fleming to serve as Assistant Secretary of Commerce for Economic Development and Administrator of the EDA.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, before I rise to speak on behalf of the nomination of Dr. John Fleming to be Assistant Secretary for Economic Development at the Department of Commerce, I remind my Republican friends that the pot calls the kettle black once again.

Whatever harm or abuse has been done to this nominee or other nominees pales by comparison to what happened to one of the most distinguished judges in America, Merrick Garland, who was nominated, literally, a year before the end of the last President's administration. He never got a hearing, never got a vote, no committee—none of that. There are no clean hands.

Mr. President, I am pleased to rise in support of the nomination of John

Fleming to be our Assistant Secretary for Economic Development at the Department of Commerce. In that role, Dr. Fleming would oversee the Economic Development Administration—we call it the EDA. In my home State, we benefited a great deal from EDA in recent years. We are grateful for them. EDA provides money used to leverage other moneys for economic development purposes. If I had more time, I would be able to give you some good examples.

When Dr. Fleming was a Member of the House of Representatives, he voted repeatedly to eliminate the Economic Development Administration. That is why I initially held deep reservations about his nomination. When Dr. Fleming and I met before his hearing last year, he assuaged most of my concerns. In the end, I decided to vote my hopes over my fears and voted to approve his nomination out of committee. Today I will again vote in support of his nomination.

As the senior Democrat on the Environment and Public Works Committee in the Senate, I will work to ensure that EDA programs are protected and promoted, and I hope Dr. Fleming will be leading in those efforts. Today I will be leading the efforts to get him confirmed for his post and put him to work.

The last thing I would say, if I have a few more seconds—I think I may. One of the things I do is customer calls, and I suspect the Presiding Officer does this back in his home State of Indiana. I do them often. I visit businesses large and small. I ask three questions: How are you doing? How are we doing? What can we do to help?

One of the questions I asked once while visiting a large auto dealership was, how are you doing?

He said: Well, you know, we sell plenty of vehicles, but we have a hard time attracting and getting people to work as technicians to maintain the vehicles we sell.

I said: Maybe you need to pay them more money.

He said: No, we start people at about $50,000 and pay them up to $80,000, $90,000 a year.

I said: You are still having a hard time attracting people?

He said: Yes, we are.

We worked with EDA to get a Federal grant to create a center for automotive excellence in the middle of Delaware, in the Delmarva Peninsula. They are working with Delaware Technical and Community College, and a year from now they expect to open that Center for Automotive Excellence and provide the workforce that is needed not just in Delaware by our auto dealers but by companies that have large trucks and similar kinds of employers throughout the Delmarva Peninsula, in the Eastern Shore of Maryland, Virginia, and throughout the State of Delaware. That is the kind of thing EDA can do to help.

We are excited about this prospect and looking forward to meeting our workforce needs and grateful for the assistance of this Federal Agency, which Dr. Fleming has been nominated to head. I hope he will have that opportunity. We will vote in just a few minutes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAUL. We yield back all time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I am happy to yield back. I think we have 1½ minutes left. I am happy to yield it back.

The PRESIDING OFFICER. All time is yielded back.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the Fleming nomination?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. PERDUE).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Alabama (Mr. JONES) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 30, as follows:

[Rollcall Vote No. 40 Ex.]

YEAS—67

Alexander	Ernst	Portman
Barrasso	Feinstein	Reed
Blackburn	Fischer	Risch
Blunt	Gardner	Roberts
Boozman	Graham	Romney
Braun	Grassley	Rosen
Burr	Hassan	Rounds
Capito	Hawley	Rubio
Cardin	Hoeven	Sasse
Carper	Hyde-Smith	Schumer
Casey	Inhofe	Scott (FL)
Cassidy	Isakson	Scott (SC)
Collins	Johnson	Shaheen
Coons	Kennedy	Shelby
Cornyn	King	Sullivan
Cortez Masto	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Manchin	Toomey
Crapo	McConnell	Whitehouse
Cruz	McSally	Wicker
Daines	Murkowski	Young
Duckworth	Murphy	
Enzi	Paul	

NAYS—30

Baldwin	Cantwell	Hirono
Bennet	Durbin	Kaine
Blumenthal	Gillibrand	Klobuchar
Booker	Harris	Leahy
Brown	Heinrich	Markey
Menendez	Schatz	Udall
Merkley	Sinema	Van Hollen
Murray	Smith	Warner
Peters	Stabenow	Warren
Sanders	Tester	Wyden

NOT VOTING—3

Jones	Moran	Perdue

The nomination was confirmed.

The PRESIDING OFFICER. The yeas are a 67, the nays are 30.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader is recognized.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 19.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Paul B. Matey, of New Jersey, to be United States Circuit Judge for the Third Circuit.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Paul B. Matey, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Mitch McConnell, David Perdue, Roy Blunt, John Cornyn, Joni Ernst, Lindsey Graham, John Boozman, Mike Rounds, Thom Tillis, Steve Daines, James E. Risch, John Hoeven, Mike Crapo, Shelley Moore Capito, John Thune, Pat Roberts, Jerry Moran.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 107.

The PRESIDING OFFICER. The question is agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Mitch McConnell, Chuck Grassley, Johnny Isakson, John Cornyn, John Barrasso, Roger F. Wicker, James E. Risch, Steve Daines, John Thune, Lindsey Graham, James M. Inhofe, Tim Scott, Pat Roberts, Thom Tillis, John Hoeven, David Perdue, Mike Crapo.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 98.

The PRESIDING OFFICER. The question is on the agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

Mitch McConnell, David Perdue, John Boozman, Thom Tillis, Mike Rounds, John Hoeven, John Barrasso, Chuck Grassley, Roy Blunt, Johnny Isakson, Lamar Alexander, Mike Crapo, Pat Roberts, John Cornyn, Richard Burr, John Thune, Roger F. Wicker.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO GENERAL RAYMOND A. THOMAS

● Ms. ERNST. Mr. President, today I wish to honor my friend, GEN Raymond A. Thomas III, commander of the U.S. Special Operations Command, for his dedication to military service in the U.S. Army. General Thomas will retire from active military duty on March 29, 2019, after serving 39 years defending our national security.

Born in Philadelphia, PA, General Thomas graduated from the U.S. Military Academy at West Point and was commissioned as an infantry second lieutenant in 1980. Throughout his career, General Thomas has grown as a well-respected leader and a vital asset to the special operations community.

Prior to assuming command of U.S. Special Operations Command, General Thomas served as commander, Joint Special Operations Command—JSOC—Fort Bragg, NC. His other general officer assignments include Associate Director for Military Affairs at the Central Intelligence Agency; commanding general, NATO Special Operations Component Command—Afghanistan; deputy commanding general, JSOC; Deputy Director for Special Operations, the Joint Staff in the Pentagon; assistant division commander, 1st Armor Division in Iraq; and assistant commanding general, JSOC.

Prior to his promotion to brigadier general, General Thomas served as the JSOC Chief of Staff and Director of Operations. He also faithfully served in key joint and special operations assignments all around the globe to include commander, Joint Task Force—Bravo, Soto Cano, Honduras; commander, 1st Battalion, 75th Ranger Regiment, Savannah, GA; and commander, B Squadron, 1st Special Forces Operational Detachment—Delta, Fort Bragg, NC.

I ask my colleagues to join me as I proudly recognize the remarkable military career of GEN Raymond A. Thomas III. I wish General Thomas, his loving wife, Barbara, and their extended family the very best as they embark on the next chapter of their journey together.●

TRIBUTE TO MATTHEW SHUMAN

● Mr. ISAKSON. Mr. President, today I am proud to recognize in the RECORD the American Legion's director of the national legislative division, Matthew Shuman, who has a long record of service to our Nation's veterans.

Mr. Shuman has not only dedicated his career to serving veterans, he is a veteran himself. He served in the U.S. Army from 2008 to 2012, most notably as a military police officer. Mr. Shuman concluded his military career serving on the Arizona Army National Guard Honor Guard, providing military funeral honors for our Nation's fallen soldiers.

Mr. Shuman began serving veterans with the American Legion in 2015, starting as an assistant legislative director with the veterans employment and education portfolio in Washington, DC. In his current role as director of the national legislative division, Mr. Shuman is the chief advocate for the 2-million-member organization, working with Federal agencies, the White House, and the media to share what the American Legion is doing in Congress on behalf of the 20 million American veterans.

During his time with the American Legion, Mr. Shuman had a role in the creation and passage of significant legislation impacting America's veterans. These include the VA MISSION Act, the VA Appeals Modernization Act, the VA Accountability and Whistleblower Protection Act, the Harry W. Colmery Veterans Educational Assistance Act, and The American Legion 100th Anniversary Commemorative Coin Act. These efforts have contributed to improving the quality of life and strengthening healthcare and benefits for servicemembers, veterans, and their families.

Today I am honored to pay tribute to Mr. Shuman for his service to our country and his steadfast commitment to advocating on behalf of veterans throughout his career. Congratulations to Mr. Shuman on his lasting legacy of advocacy for veterans, and I wish him the best in his future endeavors.●

● Mr. TESTER. Mr. President, today I wish to honor the service and career of veteran and dedicated advocate Matthew Shuman.

The American Legion is a cornerstone in countless American communities, helping our veterans get the care, benefits, and recognition they earned while giving back through

youth programs, scholarship assistance, and grassroots efforts. The American Legion's membership is robust and active, and they have been well-served by Matthew.

Matthew has been a tireless legislative advocate for American Legion members and the veteran community as a whole. In his role overseeing the American Legion's legislative efforts, Matthew has been instrumental in improving VA healthcare and benefits for our more than 22 million veterans, including 2 million Legionnaires around the world.

Matthew served in the U.S. Army from 2008 to 2012. He served as a military police officer and concluded his military career as a member of the Arizona Army National Guard Honor Guard, memorializing our fallen soldiers by providing military funeral honors.

Following his military service, Matthew attended Grand Canyon University and participated in the Reserve Officer Training Corps, ROTC, at Arizona State University. He graduated from Marymount University in Arlington, VA, with a B.S. in criminal justice. He established his passion for public service by working for two different Members of Congress, as well as working on the 2012 election cycle.

Matthew's career with the American Legion began in 2015, when he started as an assistant legislative director focused on veterans' employment and education in their Washington, DC, headquarters. In January 2017, Matthew began his tenure as the director of the American Legion's national legislative division. In that role, Matthew has been the American Legion's chief advocate before Congress, the White House, and the Department of Veterans' Affairs. Matthew has helped lead an organization that has always been at the forefront of advocating for veterans and securing the resources, healthcare, and benefits veterans have earned.

As ranking member of the Senate Veterans' Affairs Committee, it has been a joy to work with Matthew and the American Legion on important legislation like the Veterans Appeals Improvement and Modernization Act, the VA Accountability and Whistleblower Protection Act, the Harry W. Colmery Veterans Educational Assistance Act—also known as the Forever G.I. Bill—several reforms and subsequent overhaul of the VA's healthcare system, and the current implementation of the VA MISSION Act. All the while, I have been impressed with Matthew's charisma, kindness, and humor.

These bipartisan bills, all of which were signed into law, serve as a testament to Matthew's dedication and leadership on behalf of veterans. Future generations of veterans will be able to look at these bipartisan reforms as examples of Matthew's advocacy on behalf of all veterans.

It is my honor to recognize Matthew's outstanding military service and continued service to our servicemembers, veterans, and their families. As Matthew begins a new chapter, I have no doubt that he will continue to be a voice for those in need.

To Matthew, on behalf of myself and a grateful nation, I extend my greatest appreciation to you for your enduring bravery, service, sacrifice, and advocacy.●

REMEMBERING JACK COGHILL

● Ms. MURKOWSKI. Mr. President, today I speak in memory of an Alaska pioneer, a pillar of the community of Nenana, signer of the Alaska Constitution, legendary Alaska legislator and our 6th Lieutenant Governor, Jack Coghill, who died in February at the age of 93.

Long before statehood, the name Coghill was synonymous with the town of Nenana. Jack's father, William A. Coghill, Sr., emigrated from Scotland to Canada and then to Alaska in March 1907. He landed in Valdez, hiked to the interior over the course of 10 days, and went to work delivering the Fairbanks Daily News-Miner.

In 1916, Bill relocated about 60 miles down the road to Nenana, which was at the time a boom town. It was home to the Alaska Engineering Commission, which was building the railroad, a bridge, and a large dock. Along with a partner, Bill converted an existing business into Coghill's Store, which continues to exist today.

In the 1930s, Jack and his brothers, Bill, Jr., and Bob, began learning the business from the ground up. They were hauling freight, stocking shelves, assisting customers, and delivering the groceries. Jack served in the Army in World War II. He was a staff sergeant in the U.S. Army Alaska Command, fighting in the Aleutians. Following the war, Jack moved home to Nenana. When Bill, Sr., died in 1947, Jack and his brother Bob, along with their mother, took over the store. Later the business included a movie theatre, fuel distribution, and a roadhouse.

Public service was an important part of Jack Coghill's life since the late 1940s. He served on the Nenana School Board, and he was mayor of Nenana for 23 years. He was elected to the Alaska Territorial Legislature in 1952 and re-elected in 1956. At age 30, he was selected as one of 55 delegates to the Alaska Constitutional Convention. Jack participated in the drafting of the Alaska Constitution in 1956 and was the third individual to sign it. Post-statehood, he served in the Alaska House of Representatives and the Alaska Senate. In 1990, he was elected Lieutenant Governor on a ticket with Wally Hickel. Unable to stay away from service, Jack returned to the Nenana City Council when his term as Lieutenant Governor concluded. Until his death, Alaskans of all generations looked to Jack for advice.

Jack and his wife Frances were parents to six children. Next to family, Jack characterized his service on the Alaska Constitutional Convention as his greatest achievement. Of course, that was far from Jack's only recognition. He held an honorary doctorate from the University of Alaska and was elected to Junior Achievement's Small Business Hall of Fame.

One of Jack's six children is John Coghill, a friend whom I served with in the Alaska Legislature and who serves as a member of the Alaska State Senate today. John remembers his father as ''a firm believer in utilizing Alaska's natural resources to build a strong economy and provide good paying jobs for Alaska . . . He had the same passion for Alaska, even at 93.''

With the passing of Jack Coghill, only one of the signers of the Alaska Constitution, Victor Fischer, remains alive today. While it is sad to part with a pillar of Alaska's history, an individual who was instrumental in Alaska's growth from its frontier, territorial days to today's modern State, we were blessed to have his leadership for so many years.

It is an honor to share just a brief glimpse of the story of Jack Coghill with my colleagues here in the U.S. Senate.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 1271. An act to establish in the Department of Veterans Affairs a pilot program instituting a clinical observation program for pre-med students preparing to attend medical school.

H.R. 1381. An act to direct the Secretary of Veterans Affairs to take actions necessary to ensure that certain individuals may update the burn pit registry with a registered individual's cause of death, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 729. A bill to prohibit the use of funds to Federal agencies to establish a panel, task force, advisory committee, or other effort to challenge the scientific consensus on climate change, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC–529. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''OMB Final Sequestration Report to the President and Congress for Fiscal Year 2019''; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education,

Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for the Committee on Armed Services.

*William Bookless, of California, to be Principal Deputy Administrator, National Nuclear Security Administration.

*Veronica Daigle, of Virginia, to be an Assistant Secretary of Defense.

*Thomas McCaffery, of California, to be an Assistant Secretary of Defense.

*Lisa M. Schenck, of Virginia, to be a Judge of the United States Court of Military Commission Review.

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

*Lane Genatowski, of New York, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy.

*Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy).

*William Cooper, of Maryland, to be General Counsel of the Department of Energy.

*Christopher Fall, of Virginia, to be Director of the Office of Science, Department of Energy.

By Mr. GRAHAM for the Committee on the Judiciary.

Joseph F. Bianco, of New York, to be United States Circuit Judge for the Second Circuit.

Michael H. Park, of New York, to be United States Circuit Judge for the Second Circuit.

Greg Gerard Guidry, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Michael T. Liburdi, of Arizona, to be United States District Judge for the District of Arizona.

Peter D. Welte, of North Dakota, to be United States District Judge for the District of North Dakota.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 199. A bill to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe (Rept. No. 116–3).

S. 216. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes (Rept. No. 116–4).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 691. A bill to amend title XVIII of the Social Security Act to enhance prescription drug affordability by expanding access to assistance with out-of-pocket costs under Medicare part D for low-income seniors and individuals with disabilities; to the Committee on Finance.

By Mr. TOOMEY (for himself, Ms. KLOBUCHAR, Mr. ALEXANDER, Mr. BLUMENTHAL, Mr. CASEY, Mr. CRAPO, Ms. DUCKWORTH, Mr. GRASSLEY, Ms. HASSAN, Mr. INHOFE, Mr. ISAKSON, Mr. JONES, Ms. MCSALLY, Mr. PORTMAN, Ms. ROSEN, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Mr. TILLIS, Mr. YOUNG, Mr. WICKER, Mr. RUBIO, Mrs. HYDE-SMITH, Mrs. FISCHER, Mr. GARDNER, and Mr. BLUNT):

S. 692. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Finance.

By Ms. WARREN (for herself, Mr. COTTON, Mr. THUNE, and Ms. SINEMA):

S. 693. A bill to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property; to the Committee on the Judiciary.

By Mr. LEE:

S. 694. A bill to repeal the Jones Act restrictions on coastwise trade, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SASSE (for himself, Mr. COTTON, and Mr. SCOTT of South Carolina):

S. 695. A bill to amend the Elementary and Secondary Education Act of 1965 to allow parents of eligible military dependent children to establish Military Education Savings Accounts, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY (for himself and Mrs. CAPITO):

S. 696. A bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER:

S. 697. A bill to reform sentencing, prisons, re-entry of prisoners, and law enforcement practices, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Mr. RUBIO):

S. 698. A bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit and to provide the same treatment to families in Puerto Rico with one child or two children that is currently provided to island families with three or more children; to the Committee on Finance.

By Ms. HASSAN (for herself and Ms. ERNST):

S. 699. A bill to establish an interagency committee on the development of green alert systems that would be activated when a veteran goes missing, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE:

S. 700. A bill to amend the Internal Revenue Code of 1986 to provide a safe harbor for determinations of worker classification, to require increased reporting, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself and Mrs. CAPITO):

S. 701. A bill to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KING (for himself, Ms. COLLINS, Mr. SCHATZ, Ms. WARREN, Ms. KLOBUCHAR, and Mr. CASEY):

S. 702. A bill to amend the Older Americans Act of 1965 to establish an initiative, carried out by the Assistant Secretary for Aging, to coordinate Federal efforts and programs for home modifications enabling older individuals and individuals with disabilities to live independently and safely in a home environment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. WARNER, Mr. KAINE, Ms. HARRIS, Mr. BLUMENTHAL, and Mrs. SHAHEEN):

S. 703. A bill to amend title 10, United States Code, to address health, safety, and environmental hazards at private military housing units, to prohibit the payment by members of the Armed Forces of deposits or other fees relating to such housing units, and for other purposes; to the Committee on Armed Services.

By Mr. MURPHY (for himself, Mr. JOHNSON, Mr. CARDIN, Mr. RUBIO, Mrs. SHAHEEN, and Mr. GARDNER):

S. 704. A bill to prioritize the efforts of and enhance coordination among United States agencies to encourage countries in Central and Eastern Europe to diversify their energy sources and supply routes, increase Europe's energy security, and help the United States reach its global energy security goals, and for other purposes; to the Committee on Foreign Relations.

By Mr. VAN HOLLEN (for himself, Ms. WARREN, Mr. MARKEY, Mr. SANDERS, Ms. KLOBUCHAR, Ms. SMITH, and Ms. HARRIS):

S. 705. A bill to prohibit the use of funds to take any action that would constitute a violation of the Intermediate-Range Nuclear Forces Treaty for the duration of the six-month withdrawal period from the INF Treaty, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. BROWN, and Mr. CASEY):

S. 706. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose hazing incidents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mrs. SHAHEEN, Mr. BLUMENTHAL, Mr. CARDIN, Ms. HASSAN, Mrs. GILLIBRAND, Ms. WARREN, Mr. WYDEN, Mr. MARKEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. LEAHY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. MERKLEY, Ms. SMITH, Mr. BROWN, Mr. WHITEHOUSE, Mr. REED, Mr. COONS, Mr. DURBIN, Ms. HARRIS, Ms. HIRONO, Ms. DUCKWORTH, Mrs. MURRAY, Mr. BOOKER, Mr. MURPHY, Ms. ROSEN, Mr. KAINE, Ms. STABENOW, and Mr. SCHATZ):

S. 707. A bill to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices a section on reproductive rights, and for other purposes; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself and Mr. BOOKER):

S. 708. A bill to amend the Animal Welfare Act to limit experimentation on cats; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Ms. COLLINS):

S. 709. A bill to establish an interactive dashboard to allow the public to review information on the price and utilization of prescription drugs purchased by Federal programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY:

S. 710. A bill to exempt firefighters and police officers from the Government Pension Offset and Windfall Elimination Provisions under the Social Security Act; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. MORAN, Ms. BALDWIN, Mr. SULLIVAN, Ms. HASSAN, Mr. CASSIDY, Mr. MANCHIN, Mr. TILLIS, and Mr. SANDERS):

S. 711. A bill to amend title 38, United States Code, to expand eligibility for mental health services from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. LEAHY, and Mr. COONS):

S. 712. A bill to provide assistance for United States citizens and nationals taken hostage or unlawfully or wrongfully detained abroad, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself and Mr. SCHUMER):

S. 713. A bill to improve highway-rail grade crossing safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself and Mr. UDALL):

S. 714. A bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. ALEXANDER):

S. 715. A bill to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself, Mr. LEAHY, Mr. DURBIN, Mr. KAINE, Mr. MURPHY, and Mr. MERKLEY):

S. 716. A bill to impose sanctions under the Global Magnitsky Human Rights Accountability Act to combat corruption, money laundering, and impunity in Guatemala, and for other purposes; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. TESTER, Mr. BOOKER, Ms. HARRIS, Mr. SANDERS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. MARKEY, Ms. KLOBUCHAR, and Mr. CARDIN):

S. 717. A bill to amend the Toxic Substances Control Act to prohibit the manufacture, processing, and distribution in commerce of asbestos and asbestos-containing mixtures and articles, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PETERS (for himself, Mr. CASSIDY, and Mr. BOOZMAN):

S. 718. A bill to amend the Higher Education Act of 1965 to make college affordable and accessible; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. COONS, Mr. BOOKER, Ms. HARRIS, Mr. LEAHY, Mr. SCHATZ, and Ms. WARREN):

S. 719. A bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL (for himself, Ms. WARREN, Mr. BLUMENTHAL, Mr. BROWN, Mr. VAN HOLLEN, Mr. SCHATZ, Ms. HARRIS, Ms. KLOBUCHAR, Ms. DUCKWORTH, and Mr. MENENDEZ):

S. 720. A bill to require the student loan ombudsman of the Department of Education to provide student loan data to the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ROSEN (for herself and Ms. CORTEZ MASTO):

S. 721. A bill to prohibit the Secretary of Energy from taking any action relating to the licensing, planning, development, or construction of a nuclear waste repository until the Director of the Office of Management and Budget submits to Congress a study on the economic viability and job-creating benefits of alternative uses of the Yucca Mountain site, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SULLIVAN (for himself, Ms. MURKOWSKI, Mr. DAINES, and Ms. MCSALLY):

S. 722. A bill to increase the number of judgeships for the United States Court of Appeals for the Ninth Circuit and certain district courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself, Ms. MURKOWSKI, and Mr. DAINES):

S. 723. A bill to establish a Commission on Structural Alternatives for the Federal Courts of Appeals; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself and Mr. GARDNER):

S. 724. A bill to amend the Controlled Substances Act to establish additional registration requirements for prescribers of opioids, and for other purposes; to the Committee on the Judiciary.

By Mr. KAINE (for himself and Mr. WARNER):

S. 725. A bill to change the address of the postal facility designated in honor of Captain Humayun Khan; considered and passed.

By Mrs. FEINSTEIN (for herself and Ms. COLLINS):

S. 726. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. GRAHAM, Mr. MERKLEY, Mr. RUBIO, and Mr. YOUNG):

S. 727. A bill to combat international extremism by addressing global fragility and violence and stabilizing conflict-affected areas, and for other purposes; to the Committee on Foreign Relations.

By Ms. HARRIS (for herself, Mr. SCHUMER, Mr. MARKEY, Mr. BLUMENTHAL, Mr. COONS, Ms. HIRONO, Ms. SMITH, Mr. KAINE, Mr. DURBIN, Mr. WYDEN, Mr. BOOKER, Mr. SANDERS, Ms. WARREN, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. BROWN, and Mrs. MURRAY):

S. 728. A bill to direct the Joint Committee on the Library to obtain a statue of Shirley Chisholm for placement in the United States Capitol; to the Committee on Rules and Administration.

By Mr. SCHUMER (for himself, Mr. CARPER, Mr. REED, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. SCHATZ, Ms. SMITH, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. BOOKER, Ms. STABENOW, Ms. KLOBUCHAR, Ms. HASSAN, Mr. MERKLEY, and Mrs. FEINSTEIN):

S. 729. A bill to prohibit the use of funds to Federal agencies to establish a panel, task force, advisory committee, or other effort to challenge the scientific consensus on climate change, and for other purposes; read the first time.

By Mrs. GILLIBRAND:

S. 730. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Ms. MCSALLY:

S. 731. A bill to amend the Anti-Border Corruption Act of 2010 to authorize certain polygraph waiver authority, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself and Ms. MURKOWSKI):

S. 732. A bill to amend the PROTECT Act to expand the national AMBER Alert system to territories of the United States, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PETERS (for himself, Mr. MORAN, Mr. CARPER, Ms. MURKOWSKI, Ms. SMITH, Ms. COLLINS, Mr. JONES, Mr. SULLIVAN, Mr. SANDERS, Mr. BLUNT, Mr. WHITEHOUSE, Mr. ROBERTS, Mr. KING, Mr. VAN HOLLEN, Ms. HARRIS, Mr. UDALL, Mr. REED, Ms. BALDWIN, Mrs. SHAHEEN, Ms. DUCKWORTH, Ms. SINEMA, Mr. KAINE, Mr. TESTER, Ms. ROSEN, and Ms. HASSAN):

S. Res. 99. A resolution expressing the sense of the Senate that Congress should take all appropriate measures to ensure that the United States Postal Service remains an independent establishment of the Federal Government and is not subject to privatization; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI (for herself, Mr. UDALL, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Mr. DAINES, Ms. DUCKWORTH, Ms. HARRIS, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Ms. MCSALLY, Mr. MERKLEY, Mr. MORAN, Mrs. MURRAY, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. SMITH, Mr. TESTER, Ms. WARREN, and Mr. WYDEN):

S. Res. 100. A resolution recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States; to the Committee on Indian Affairs.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. MURPHY, and Ms. BALDWIN):

S. Res. 101. A resolution supporting the goals of International Women's Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 151

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. MORAN), the Senator from Colorado (Mr. GARDNER), the Senator from West Virginia (Mrs. CAPITO), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Ms. DUCKWORTH), the Senator

from North Dakota (Mr. HOEVEN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Florida (Mr. RUBIO) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 151, a bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

S. 178

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 286

At the request of Mr. BARRASSO, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 286, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 340

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 340, a bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

S. 362

At the request of Mr. WYDEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 427

At the request of Mr. MENENDEZ, the names of the Senator from Florida (Mr. RUBIO), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from South Carolina (Mr. SCOTT) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 427, a bill to amend the Public Health Service Act to enhance activities of the National Institutes of Health with respect to research on autism spectrum disorder and enhance programs relating to autism, and for other purposes.

S. 470

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 470, a bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 50 to 64 to buy into Medicare.

S. 472

At the request of Mr. MARKEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 472, a bill to amend title 49, United States Code, to ensure that revenues collected from passengers as aviation security fees are used to help finance the costs of aviation security screening by repealing a requirement that a portion of such fees be credited as offsetting receipts and deposited in the general fund of the Treasury.

S. 479

At the request of Mr. TOOMEY, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 504

At the request of Ms. SINEMA, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 504, a bill to amend title 36, United States Code, to authorize The American Legion to determine the requirements for membership in The American Legion, and for other purposes.

S. 509

At the request of Mr. MURPHY, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. JONES), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 509, a bill to require the Secretary of the Treasury to mint coins in commemoration of the United States Coast Guard.

S. 521

At the request of Mr. BROWN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 521, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 590

At the request of Mr. COONS, the names of the Senator from Indiana (Mr. YOUNG), the Senator from New Mexico (Mr. HEINRICH), the Senator from Hawaii (Ms. HIRONO), the Senator from Nevada (Ms. ROSEN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 590, a bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden, to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson, and to award a Congressional Gold Medal to honor all of the women who contributed to the success of the National Aeronautics and Space Administration during the Space Race.

S. 610

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 610, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 611

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 611, a bill to provide adequate funding for water and sewer infrastructure, and for other purposes.

S. 650

At the request of Mr. UDALL, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 650, a bill to assist entrepreneurs, support development of the creative economy, and encourage international cultural exchange, and for other purposes.

S. 668

At the request of Mr. BROWN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 668, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 669

At the request of Ms. BALDWIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 669, a bill to protect the rights of passengers with disabilities in air transportation, and for other purposes.

S.J. RES. 4

At the request of Mr. KAINE, the names of the Senator from Alabama (Mr. JONES) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S.J. Res. 4, a joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes.

S. RES. 96

At the request of Mr. RISCH, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 96, a resolution commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government to the Government of Canada for the extradition of a Huawei Technologies Co., Ltd. executive.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE:

S. 700. A bill to amend the Internal Revenue Code of 1986 to provide a safe harbor for determinations of worker classification, to require increased reporting, and for other purposes; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''New Economy Works to Guarantee Independence and Growth Act of 2019'' or the ''NEW GIG Act of 2019''.

SEC. 2. DETERMINATION OF WORKER CLASSIFICATION.

(a) IN GENERAL.—Chapter 79 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7706. DETERMINATION OF WORKER CLASSIFICATION.

''(a) IN GENERAL.—For purposes of this title (and notwithstanding any provision of this title not contained in this section to the contrary), if the requirements of subsections (b), (c), and (d) are met with respect to any service performed by a service provider, then with respect to such service—

''(1) the service provider shall not be treated as an employee,

''(2) the service recipient shall not be treated as an employer,

''(3) any payor shall not be treated as an employer, and

''(4) the compensation paid or received for such service shall not be treated as paid or received with respect to employment.

''(b) GENERAL SERVICE PROVIDER REQUIREMENTS.—

''(1) IN GENERAL.—The requirements of this subsection are met with respect to any service if the service provider either—

''(A) meets the requirements of paragraph (2) with respect to such service, or

''(B) in the case of a service provider engaged in the trade or business of selling (or soliciting the sale of) goods or services, meets the requirements of paragraph (3) with respect to such service.

''(2) GENERAL REQUIREMENTS.—

''(A) IN GENERAL.—The requirements of this paragraph are met with respect to any service if the service provider, in connection with performing the service—

''(i) incurs expenses—

''(I) which are deductible under section 162, and

''(II) a significant portion of which are not reimbursed,

''(ii) agrees to perform the service for a particular amount of time, to achieve a specific result, or to complete a specific task, and

''(iii) satisfies not less than 1 of the factors described in subparagraph (B).

''(B) FACTORS.—The factors described in this subparagraph are the following:

''(i) The service provider has a significant investment in assets or training which are applicable to the service performed.

''(ii) The service provider is not required to perform services exclusively for the service recipient or payor.

''(iii) The service provider has not been treated as an employee by the service recipient or payor for substantially the same services during the 1-year period ending with the date of the commencement of services under the contract described in subsection (d).

''(iv) The service provider is not compensated on a basis which is tied primarily to the number of hours actually worked.

''(3) ALTERNATIVE REQUIREMENTS WITH RESPECT TO SALES PERSONS.—In the case of a service provider engaged in the trade or business of selling (or soliciting the sale of) goods or services, the requirements of this paragraph are met with respect to any service provided in the ordinary course of such trade or business if—

''(A) the service provider is compensated primarily on a commission basis, and

''(B) substantially all the compensation for such service is directly related to sales of goods or services rather than to the number of hours worked.

''(c) PLACE OF BUSINESS OR OWN EQUIPMENT REQUIREMENT.—The requirement of this subsection is met with respect to any service if the service provider—

''(1) has a principal place of business,

''(2) does not provide the service primarily in the service recipient's place of business,

''(3) pays a fair market rent for use of the service recipient's or payor's place of business, or

''(4) provides the service primarily using equipment supplied by the service provider.

''(d) WRITTEN CONTRACT REQUIREMENT.—The requirements of this subsection are met with respect to any service if such service is performed pursuant to a written contract between the service provider and the service recipient or payor, whichever is applicable, which meets the following requirements:

''(1) The contract includes each of the following:

''(A) The service provider's name, taxpayer identification number, and address.

''(B) A statement that the service provider will not be treated as an employee with respect to the services provided pursuant to the contract for purposes of this title.

''(C) A statement that the service recipient or payor will withhold upon and report to the Internal Revenue Service the compensation payable pursuant to the contract consistent with the requirements of this title.

''(D) A statement that the service provider is responsible for payment of Federal, State, and local taxes, including self-employment taxes, on compensation payable pursuant to the contract.

''(E) A statement that the contract is intended to be considered a contract described in this subsection.

The contract shall not fail to meet the requirements of this paragraph merely because the information described in subparagraph (A) is collected at the time payment is made for the services and not in advance, or because the contract provides that an agent of the service recipient or payor will fulfill any of the responsibilities of the service recipient or payor described in the preceding subparagraphs.

''(2) The term of the contract does not exceed 2 years. The preceding sentence shall not prevent 1 or more subsequent written renewals of the contract from satisfying the requirements of this subsection if the term of each such renewal does not exceed 2 years and if the information required under paragraph (1)(A) is updated in connection with each such renewal.

''(3) The contract (or renewal) is signed (which may include signatures in electronic form) by the service recipient or payor and the service provider not later than the date on which the aggregate payments made by the service recipient or payor to the service provider exceeds $1,000 for the year covered by the contract (or renewal).

''(e) REPORTING REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of making any determination with respect to the liability of a service recipient or payor for any tax during any taxable year with respect to a service provider, the application of this section shall be conditioned on either the service recipient or the payor satisfying the reporting requirements applicable to such service recipient or payor under section 6041(a), 6041A(a), or 6050W with respect to such service provider for such period.

''(2) REASONABLE CAUSE.—For purposes of paragraph (1), such reporting requirements shall be treated as met if the failure to satisfy such requirements is due to reasonable cause and not willful neglect.

''(f) EXCEPTION FOR SERVICES PROVIDED BY OWNER.—This section shall not apply with respect to any service provided by a service provider to a service recipient or payor if the service provider owns any interest in the service recipient or the payor with respect to the service provided. The preceding sentence shall not apply in the case of a service recipient or payor the stock of which is regularly traded on an established securities market.

''(g) LIMITATION ON RECLASSIFICATION BY SECRETARY.—For purposes of this title—

''(1) EFFECT OF RECLASSIFICATION ON SERVICE RECIPIENTS AND PAYORS.—A determination by the Secretary that a service recipient or a payor should have treated a service provider as an employee shall be effective with respect to the service recipient or payor no earlier than the notice date if—

''(A) the service recipient or the payor entered into a written contract with the servvice provider which meets the requirements of subsection (d),

''(B) the service recipient or the payor satisfied the applicable reporting requirements of section 6041(a), 6041A(a), or 6050W for all relevant taxable years with respect to the service provider,

''(C) the service recipient or the payor collected and paid over all applicable taxes imposed under subtitle C for all relevant taxable years with respect to the service provider, and

''(D) the service recipient or the payor demonstrates a reasonable basis for having determined that the service provider should not be treated as an employee under this section and that such determination was made in good faith.

''(2) EFFECT OF RECLASSIFICATION ON SERVICE PROVIDERS.—A determination by the Secretary that a service provider should have been treated as an employee shall be effective with respect to the service provider no earlier than the notice date if—

''(A) the service provider entered into a written contract with the service recipient or the payor which meets the requirements of subsection (d),

''(B) the service provider satisfied the applicable reporting requirements of sections 6012(a) and 6017 for all relevant taxable years with respect to the service recipient or the payor, and

''(C) the service provider demonstrates a reasonable basis for determining that the service provider is not an employee under this section and that such determination was made in good faith.

''(3) NOTICE DATE.—For purposes of this subsection, the term 'notice date' means the 30th day after the earliest of—

''(A) the date on which the first letter of proposed deficiency which allows the service provider, the service recipient, or the payor an opportunity for administrative review in the Internal Revenue Service Office of Appeals is sent,

''(B) the date on which a deficiency notice under section 6212 is sent, or

''(C) the date on which a notice of determination under section 7436(b)(2) is sent.

''(4) REASONABLE CAUSE EXCEPTION.—The requirements of paragraphs (1)(B), (1)(C), and (2)(B) shall be treated as met if the failure to satisfy such requirements is due to reasonable cause and not willful neglect.

''(5) NO RESTRICTION ON ADMINISTRATIVE OR JUDICIAL REVIEW.—Nothing in this subsection shall be construed as limiting any provision of law which provides an opportunity for administrative or judicial review of a determination by the Secretary.

''(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as—

''(1) limiting the ability or right of a service provider, service recipient, or payor to

apply any other provision of this title, section 530 of the Revenue Act of 1978, or any common law rules for determining whether an individual is an employee, or

''(2) establishing a prerequisite for the application of any provision of law described in paragraph (1).

''(i) DEFINITIONS.—For purposes of this section—

''(1) SERVICE PROVIDER.—

''(A) IN GENERAL.—The term 'service provider' means any qualified person who performs service for another person.

''(B) QUALIFIED PERSON.—The term 'qualified person' means—

''(i) any natural person, or

''(ii) any entity if any of the services referred to in subparagraph (A) are performed by 1 or more natural persons who directly own interests in such entity.

''(2) SERVICE RECIPIENT.—The term 'service recipient' means the person for whom the service provider performs such service.

''(3) PAYOR.—The term 'payor' means—

''(A) any person, including the service recipient, who pays the service provider for performing such service, or

''(B) any marketplace platform, as defined in section 6050W(d)(3)(C).

''(j) REGULATIONS.—Notwithstanding section 530(d) of the Revenue Act of 1978, the Secretary shall issue such regulations as the Secretary determines are necessary to carry out the purposes of this section.''.

(b) VOLUNTARY WITHHOLDING AGREEMENTS AND WORKER CLASSIFICATION.—Section 3402(p) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) WORKER CLASSIFICATION.—Agreements under paragraph (3) shall not be taken into account in determining whether any party to such agreement is an employee or an employer for purposes of this title.''.

(c) WITHHOLDING BY PAYOR IN CASE OF CERTAIN PERSONS CLASSIFIED AS NOT EMPLOYEES.—Section 3402 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(u) EXTENSION OF WITHHOLDING TO PAYMENTS TO CERTAIN PERSONS CLASSIFIED AS NOT EMPLOYEES.—

''(1) IN GENERAL.—For purposes of this chapter and so much of subtitle F as relates to this chapter, compensation paid pursuant to a contract described in section 7706(d) shall be treated as if it were a payment of wages by an employer to an employee.

''(2) AMOUNT WITHHELD.—Except as otherwise provided under subsection (i), the amount to be deducted and withheld pursuant to paragraph (1) with respect to compensation paid pursuant to any such contract during any calendar year shall be an amount equal to 5 percent of so much of the amount of such compensation as does not exceed $20,000.''.

(d) DIRECT SELLERS OF PROMOTIONAL PRODUCTS.—Subsection (b) of section 3508 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(A)—

(A) in clause (ii), by striking ''or'' at the end,

(B) in clause (iii), by adding ''or'' at the end, and

(C) by inserting after clause (iii) the following new clause:

''(iv) is engaged in the trade or business of selling, or soliciting the sale of, promotional products from other than a permanent retail establishment,'',

(2) by redesignating paragraph (3) as paragraph (4), and

(3) by inserting after paragraph (2) the following new paragraph:

''(3) PROMOTIONAL PRODUCT.—For purposes of paragraph (2)(A)(iv), the term 'promotional product' means a tangible item with permanently marked promotional words, symbols, or art of the purchaser.''.

(e) REPORTING.—

(1) INFORMATION AT SOURCE.—Section 6041 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (a)—

(i) in the heading, by striking ''$600'' and inserting ''$1,000'', and

(ii) by striking ''$600 or more in any taxable year'' and inserting ''$1,000 or more in any taxable year'', and

(B) by adding at the end the following new subsection:

''(h) SPECIAL RULES FOR CERTAIN PERSONS CLASSIFIED AS NOT EMPLOYEES.—

''(1) IN GENERAL.—In the case of any service recipient or payor required to make a return under subsection (a) with respect to compensation to which section 7706(a) applies—

''(A) such return shall include—

''(i) the aggregate amount of such compensation paid to each person whose name is required to be included on such return,

''(ii) the aggregate amount deducted and withheld under section 3402(s) with respect to such compensation, and

''(iii) an indication of whether a copy of the contract described in section 7706(d) is on file with the service recipient or payor, and

''(B) the statement required to be furnished under subsection (d) shall include the information described in subparagraph (A) with respect to the service provider to whom such statement is furnished.

''(2) DEFINITIONS.—Terms used in this subsection which are also used in section 7706 shall have the same meaning as when used in such section.''.

(2) RETURNS REGARDING PAYMENTS OF REMUNERATION FOR SERVICES AND DIRECT SALES.—Section 6041A of such Code is amended—

(A) in paragraph (2) of subsection (a), by striking ''$600'' and inserting ''$1,000'', and

(B) by adding at the end the following new subsection:

''(g) SPECIAL RULES FOR CERTAIN PERSONS CLASSIFIED AS NOT EMPLOYEES.—Rules similar to the rules of subsection (h) of section 6041 shall apply for purposes of this section.''.

(3) RETURNS RELATING TO PAYMENTS MADE IN SETTLEMENT OF PAYMENT CARD AND THIRD PARTY NETWORK TRANSACTIONS.—Section 6050W of such Code is amended—

(A) in subsection (d), by amending paragraph (3) to read as follows:

''(3) THIRD PARTY PAYMENT NETWORK.—

''(A) IN GENERAL.—The term 'third party payment network' means any agreement or arrangement—

''(i) which involves the establishment of accounts with a central organization or marketplace platform by a substantial number of persons who—

''(I) are unrelated to such organization or platform,

''(II) provide goods or services, and

''(III) have agreed to settle transactions for the provision of such goods or services pursuant to such agreement or arrangement,

''(ii) which provides for standards and mechanisms for settling such transactions, and

''(iii) which guarantees persons providing goods or services pursuant to such agreement or arrangement that such persons will be paid for providing such goods or services.

''(B) EXCEPTION.—The term 'third party payment network' shall not include any agreement or arrangement which provides for the issuance of payment cards.

''(C) MARKETPLACE PLATFORM.—For purposes of subparagraph (A), the term 'marketplace platform' means any person who—

''(i) operates a digital website, mobile application, or similar system that facilitates the provision of goods or services by providers to recipients,

''(ii) enters into an agreement with each provider stating that such provider will not be treated as an employee with respect to such goods or services,

''(iii) provides standards and mechanisms for settling such facilitated transactions, and

''(iv) guarantees each provider of goods or services pursuant to such agreement that the provider will be paid for such facilitated transaction.'',

(B) by amending subsection (e) to read as follows:

''(e) EXCEPTION FOR DE MINIMIS PAYMENTS BY THIRD PARTY SETTLEMENT ORGANIZATIONS.—

''(1) IN GENERAL.—A third party settlement organization shall be required to report any information under subsection (a) with respect to third party network transactions of any participating payee only if the amount which would otherwise be reported under subsection (a)(2) with respect to such transactions exceeds $1,000.

''(2) EXCEPTION.—

''(A) MARKETPLACE PLATFORMS.—In the case of a third party settlement organization which is a marketplace platform (as defined in subsection (d)(3)(C)) through which substantially all the participating payees are primarily engaged in the sale of goods, such marketplace platform shall be required to report any information under subsection (a) with respect to third party network transactions of such payee only if—

''(i) the amount which would otherwise be reported under subsection (a)(2) with respect to such transaction exceeds $5,000, or

''(ii) the aggregate number of transactions exceeds 50.

''(B) OTHER THIRD PARTY SETTLEMENT ORGANIZATIONS.—In the case of a third party settlement organization other than a marketplace platform—

''(i) the rules of subparagraph (A) shall apply in the case of information required to be reported, or which would otherwise be reported, under subsection (a) to any participating payee who is primarily engaged in the sale of goods, and

''(ii) the determination of whether a participating payee is primarily engaged in the sale of goods may be made separately for each participating payee.

''(3) ELECTION TO REPORT.—Notwithstanding paragraphs (1) and (2), a third party settlement organization may elect to report any information under subsection (a) with respect to third party network transactions of any participating payee without regard to the amount reported under subsection (a)(2) with respect to such transactions or the aggregate number of such transactions.'', and

(C) in subsection (f)—

(i) in paragraph (1), by striking ''and'' at the end,

(ii) in paragraph (2), by striking the period at the end and inserting '', and'', and

(iii) by inserting after paragraph (2) the following new paragraph:

''(3) the amount, if any, withheld pursuant to section 3402(s).''.

(f) PROCEEDINGS FOR DETERMINATION OF EMPLOYMENT STATUS.—Paragraph (1) of section 7436(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) PETITIONER.—A pleading may be filed under this section only by—

''(A) the person for whom the services are performed, including the service recipient or the payor, or

''(B) any service provider which the Secretary has determined should have been treated as an employee.

All terms used in this paragraph which are also used in section 7706 have the meanings given such terms in section 7706(i).''.

(g) CLERICAL AMENDMENT.—The table of sections for chapter 79 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7706. Determination of worker classification.''.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraphs (2), (3), and (4), the amendments made by this section shall apply to services performed after December 31, 2019 (and to payments made for such services after such date).

(2) GRACE PERIOD TO BEGIN WITHHOLDING.—A contract shall not be treated as failing to meet the requirements of section 7706(d)(1)(C) of the Internal Revenue Code of 1986 (as added by this section), and a service recipient or payor shall not be treated as failing to meet any such requirement, with respect to compensation paid to a service provider before the date that is 180 days after the date of the enactment of this Act.

(3) REPORTING.—Except as provided in paragraph (4), the amendments made by subsection (e) shall apply to returns the due date for which is after the date which is 2 years after the date of the enactment of this Act.

(4) EXCEPTION FOR DE MINIMIS PAYMENTS BY THIRD PARTY SETTLEMENT ORGANIZATIONS.—The amendment made by subsection (e)(3)(B) shall apply to payments made after December 31, 2019.

By Mr. DURBIN (for himself, Mr. COONS, Mr. BOOKER, Ms. HARRIS, Mr. LEAHY, Mr. SCHATZ, and Ms. WARREN):

S. 719. A bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 719

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Solitary Confinement Reform Act''.

SEC. 2. SOLITARY CONFINEMENT REFORMS.

(a) AMENDMENT.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''§ 4051. Solitary confinement

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE MAXIMUM FACILITY.—The term 'administrative maximum facility' means a maximum-security facility, including the Administrative Maximum facility in Florence, Colorado, designed to house inmates who present an ongoing significant and serious threat to other inmates, staff, and the public.

''(2) ADMINISTRATIVE SEGREGATION.—The term 'administrative segregation' means a nonpunitive form of solitary confinement that removes an individual from the general population of a correctional facility for—

''(A) investigative, protective, or preventative reasons resulting in a substantial and immediate threat; or

''(B) transitional reasons, including a pending transfer, pending classification, or other temporary administrative matter.

''(3) APPROPRIATE LEVEL OF CARE.—The term 'appropriate level of care' means the appropriate treatment setting for mental health care that an inmate with mental illness requires, which may include outpatient care, emergency or crisis services, day treatment, supported residential housing, infirmary care, or inpatient psychiatric hospitalization services.

''(4) DIRECTOR.—The term 'Director' means the Director of the Bureau of Prisons.

''(5) DISCIPLINARY HEARING OFFICER.—The term 'disciplinary hearing officer' means an employee of the Bureau of Prisons who is responsible for conducting disciplinary hearings for which solitary confinement may be a sanction, as described in section 541.8 of title 28, Code of Federal Regulations, or any successor thereto.

''(6) DISCIPLINARY SEGREGATION.—The term 'disciplinary segregation' means a punitive form of solitary confinement imposed only by a Disciplinary Hearing Officer as a sanction for committing a significant and serious disciplinary infraction.

''(7) INTELLECTUAL DISABILITY.—The term 'intellectual disability' means a significant mental impairment characterized by significant limitations in both intellectual functioning and in adaptive behavior.

''(8) MULTIDISCIPLINARY STAFF COMMITTEE.—The term 'multidisciplinary staff committee' means a committee—

''(A) made up of staff at the facility where an inmate resides who are responsible for reviewing the initial placement of the inmate in solitary confinement and any extensions of time in solitary confinement; and

''(B) which shall include—

''(i) not less than 1 licensed mental health professional;

''(ii) not less than 1 medical professional; and

''(iii) not less than 1 member of the leadership of the facility.

''(9) ONGOING SIGNIFICANT AND SERIOUS THREAT.—The term 'ongoing significant and serious threat' means an ongoing set of circumstances that require the highest level of security and staff supervision for an inmate who, by the behavior of the inmate—

''(A) has been identified as assaultive, predacious, riotous, or a serious escape risk; and

''(B) poses a great risk to other inmates, staff, and the public.

''(10) PROTECTION CASE.—The term 'protection case' means an inmate who, by the request of the inmate or through a staff determination, requires protection, as described by section 541.23(c)(3) of title 28, Code of Federal Regulations, or any successor thereto.

''(11) SERIOUS MENTAL ILLNESS.—The term 'serious mental illness' means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

''(12) SIGNIFICANT AND SERIOUS DISCIPLINARY INFRACTION.—The term 'significant and serious disciplinary infraction' means—

''(A) an act of violence that either—

''(i) resulted in or was likely to result in serious injury or death to another; or

''(ii) occurred in connection with any act of nonconsensual sex; or

''(B) an escape, attempted escape, or conspiracy to escape from within a security perimeter or custody, or both; or

''(C) possession of weapons, possession of illegal narcotics with intent to distribute, or other similar, severe threats to the safety of the inmate, other inmates, staff, or the public.

''(13) SOLITARY CONFINEMENT.—The term 'solitary confinement' means confinement characterized by substantial isolation in a cell, alone or with other inmates, including administrative segregation, disciplinary segregation, and confinement in any facility designated by the Bureau of Prisons as a special housing unit, special management unit, or administrative maximum facility.

''(14) SPECIAL ADMINISTRATIVE MEASURES.—The term 'special administrative measures' means reasonably necessary measures used to—

''(A) prevent disclosure of classified information upon written certification to the Attorney General by the head of an element of the intelligence community (as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) that the unauthorized disclosure of such information would pose a threat to the national security and that there is a danger that the inmate will disclose such information, as described by section 501.2 of title 28, Code of Federal Regulations, or any successor thereto; or

''(B) protect persons against the risk of death or serious bodily injury, upon written notification to the Director by the Attorney General or, at the Attorney General's direction, by the head of a Federal law enforcement agency, or the head of an element of the intelligence community (as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), that there is a substantial risk that the communications of an inmate or contacts by the inmate with other persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons, as described by section 501.3 of title 28, Code of Federal Regulations, or any successor thereto.

''(15) SPECIAL HOUSING UNIT.—The term 'special housing unit' means a housing unit in an institution of the Bureau of Prisons in which inmates are securely separated from the general inmate population for disciplinary or administrative reasons, as described in section 541.21 of title 28, Code of Federal Regulations, or any successor thereto.

''(16) SPECIAL MANAGEMENT UNIT.—The term 'special management unit' means a nonpunitive housing program with multiple, step-down phases for inmates whose history, behavior, or situation requires enhanced management approaches in order to ensure the safety of other inmates, the staff, and the public.

''(17) SUBSTANTIAL AND IMMEDIATE THREAT.—The term 'substantial and immediate threat' means any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the safety of an inmate, other inmates, staff, or the public.

''(b) USE OF SOLITARY CONFINEMENT.—

''(1) IN GENERAL.—The placement of a Federal inmate in solitary confinement within the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody shall be limited to situations in which such confinement—

''(A) is limited to the briefest term and the least restrictive conditions practicable, including not less than 4 hours of out-of-cell time every day, unless the inmate poses a substantial and immediate threat;

''(B) is consistent with the rationale for placement and with the progress achieved by the inmate;

''(C) allows the inmate to participate in meaningful programming opportunities and privileges as consistent with those available in the general population as practicable, either individually or in a classroom setting;

''(D) allows the inmate to have as much meaningful interaction with others, such as other inmates, visitors, clergy, or licensed

mental health professionals, as practicable; and

''(E) complies with the provisions of this section.

''(2) TRANSITIONAL PROCESS FOR INMATES IN SOLITARY CONFINEMENT.—

''(A) INMATES WITH UPCOMING RELEASE DATES.—The Director shall establish—

''(i) policies to ensure that an inmate with an anticipated release date of 180 days or less is not housed in solitary confinement, unless—

''(I) such confinement is limited to not more than 5 days of administrative segregation relating to the upcoming release of the inmate; or

''(II) the inmate poses a substantial and immediate threat; and

''(ii) a transitional process for each inmate with an anticipated release date of 180 days or less who is held in solitary confinement under clause (i)(II), which shall include—

''(I) substantial re-socialization programming in a group setting;

''(II) regular mental health counseling to assist with the transition; and

''(III) re-entry planning services offered to inmates in a general population setting.

''(B) INMATES IN LONG-TERM SOLITARY CONFINEMENT.—The Director shall establish a transitional process for each inmate who has been held in solitary confinement for more than 30 days and who will transition into a general population unit, which shall include—

''(i) substantial re-socialization programming in a group setting; and

''(ii) regular mental health counseling to assist with the transition.

''(3) PROTECTIVE CUSTODY UNITS.—The Director—

''(A) shall establish within the Federal prison system additional general population protective custody units that provide sheltered general population housing to protect inmates from harm that they may otherwise be exposed to in a typical general population housing unit;

''(B) shall establish policies to ensure that an inmate who is considered a protection case shall, upon request of the inmate, be placed in a general population protective custody unit;

''(C) shall create an adequate number of general population protective custody units to—

''(i) accommodate the requests of inmates who are considered to be protection cases; and

''(ii) ensure that inmates who are considered to be protection cases are placed in facilities as close to their homes as practicable; and

''(D) may not place an inmate who is considered to be a protection case in solitary confinement due to the status of the inmate as a protection case unless—

''(i) the inmate requests to be placed in solitary confinement, in which case, at the request of the inmate the inmate shall be transferred to a general population protective custody unit or, if appropriate, a different general population unit; or

''(ii) such confinement is limited to—

''(I) not more than 5 days of administrative segregation; and

''(II) is necessary to protect the inmate during preparation for transfer to a general population protective custody unit or a different general population unit.

''(4) VULNERABLE POPULATIONS.—The Bureau of Prisons or any facility that contracts with the Bureau of Prisons shall not place an inmate in solitary confinement if—

''(A) the inmate has a serious mental illness, has an intellectual disability, has a physical disability that a licensed medical professional finds is likely to be exacerbated by placement in solitary confinement, is pregnant or in the first 8 weeks of the postpartum recovery period after giving birth, or has been determined by a licensed mental health professional to likely be significantly adversely affected by placement in solitary confinement, unless—

''(i) the inmate poses a substantial and immediate threat;

''(ii) all other options to de-escalate the situation have been exhausted, including less restrictive techniques such as—

''(I) penalizing the inmate through loss of privileges;

''(II) speaking with the inmate in an attempt to de-escalate the situation; and

''(III) a licensed mental health professional providing an appropriate level of care;

''(iii) such confinement is limited to the briefest term and the least restrictive conditions practicable, including access to medical and mental health treatment;

''(iv) such confinement is reviewed by a multidisciplinary staff committee for appropriateness every 24 hours; and

''(v) as soon as practicable, but not later than 5 days after such confinement begins, the inmate is diverted, upon release from solitary confinement, to—

''(I) a general population unit;

''(II) a protective custody unit described in paragraph (3); or

''(III) a mental health treatment program as described in subsection (c)(2);

''(B) the inmate is lesbian, gay, bisexual, transgender (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), intersex (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), or gender nonconforming (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), when such placement is solely on the basis of such identification or status; or

''(C) the inmate is HIV positive, if the placement is solely on the basis of the HIV positive status of the inmate.

''(5) SPECIAL HOUSING UNITS.—The Director shall—

''(A) limit administrative segregation—

''(i) to situations in which such segregation is necessary to—

''(I) control a substantial and immediate threat that cannot be addressed through alternative housing; or

''(II) temporarily house an inmate pending transfer, pending classification, or pending resolution of another temporary administrative matter; and

''(ii) to a duration of not more than 15 consecutive days, and not more than 20 days in a 60-day period, unless—

''(I) the inmate requests to remain in administrative segregation under paragraph (3)(D)(i); or

''(II) in order to address the continued existence of a substantial and immediate threat, a multidisciplinary staff committee approves a temporary extension, which—

''(aa) may not be longer than 15 days; and

''(bb) shall be reviewed by the multidisciplinary staff committee every 3 days during the period of the extension, in order to confirm the continued existence of the substantial and immediate threat;

''(B) limit disciplinary segregation—

''(i) to situations in which such segregation is necessary to punish an inmate who has been found to have committed a significant and serious disciplinary infraction by a Disciplinary Hearing Officer and alternative sanctions would not adequately regulate the behavior of the inmate; and

''(ii) to a duration of not more than 30 consecutive days, and not more than 40 days in a 60-day period, unless a multidisciplinary staff committee, in consultation with the Disciplinary Hearing Officer who presided over the inmate's disciplinary hearing, determines that the significant and serious disciplinary infraction of which the inmate was found guilty is of such an egregious and violent nature that a longer sanction is appropriate and approves a longer sanction, which—

''(I) may be not more than 60 days in a special housing unit if the inmate has never before been found guilty of a similar significant and serious disciplinary infraction; or

''(II) may be not more than 90 days in a special housing unit if the inmate has previously been found guilty of a similar significant and serious disciplinary infraction;

''(C) ensure that any time spent in administrative segregation during an investigation into an alleged offense is credited as time served for a disciplinary segregation sentence;

''(D) ensure that concurrent sentences are imposed for disciplinary violations arising from the same episode; and

''(E) ensure that an inmate may be released from disciplinary segregation for good behavior before completing the term of the inmate, unless the inmate poses a substantial and immediate threat to the safety of other inmates, staff, or the public.

''(6) SPECIAL MANAGEMENT UNITS.—The Director shall—

''(A) limit segregation in a special management unit to situations in which such segregation is necessary to temporarily house an inmate whose history, behavior, or circumstances require enhanced management approaches that cannot be addressed through alternative housing;

''(B) evaluate whether further reductions to the minimum and maximum number of months an inmate may spend in a special management unit are appropriate on an annual basis;

''(C) ensure that each inmate understands the status of the inmate in the special management unit program and how the inmate may progress through the program; and

''(D) further reduce the minimum and maximum number of months an inmate may spend in a special management unit if the Director determines such reductions are appropriate after evaluations are performed under subparagraph (B).

''(7) ADMINISTRATIVE MAXIMUM FACILITIES.—The Director shall—

''(A) limit segregation in an administrative maximum facility to situations in which such segregation is necessary to—

''(i) implement special administrative measures, as directed by the Attorney General; or

''(ii) house an inmate who poses an ongoing significant and serious threat to the safety of other inmates, staff, or the public that cannot be addressed through alternative housing; and

''(B) issue final approval of referral of any inmate who poses an ongoing significant and serious threat for placement in an Administrative Maximum facility, including the United States Penitentiary Administrative Maximum in Florence, Colorado.

''(8) RIGHT TO REVIEW PLACEMENT IN SOLITARY CONFINEMENT.—The Director shall ensure that each inmate placed in solitary confinement has access to—

''(A) written notice thoroughly detailing the basis for placement or continued placement in solitary confinement not later than 6 hours after the beginning of such placement, including—

''(i) thorough documentation explaining why such confinement is permissible and necessary under paragraph (1); and

''(ii) if an exception under paragraph (2)(A), (3)(D), (4)(A), (4)(B), (5)(A), or (5)(B) is used to justify placement in solitary confinement or

under paragraph (1) to justify increased restrictive conditions in solitary confinement, thorough documentation explaining why such an exception applied;

''(B) a timely, thorough, and continuous review process that—

''(i) occurs within not less than 3 days of placement in solitary confinement, and thereafter at least—

''(I) on a weekly basis for inmates in special housing units;

''(II) on a monthly basis for inmates in special management units; and

''(III) on a monthly basis for inmates at an administrative maximum facility;

''(ii) includes private, face-to-face interviews with a multidisciplinary staff committee; and

''(iii) examines whether—

''(I) placement in solitary confinement was and remains necessary;

''(II) the conditions of confinement comply with this section; and

''(III) whether any exception under paragraph (2)(A), (3)(D), (4)(A), (4)(B), (5)(A), or (5)(B) used to justify placement in solitary confinement or under paragraph (1) used to justify increased restrictive conditions in solitary confinement was and remains warranted;

''(C) a process to appeal the initial placement or continued placement of the inmate in solitary confinement;

''(D) prompt and timely written notice of the appeal procedures; and

''(E) copies of all documents, files, and records relating to the inmate's placement in solitary confinement, unless such documents contain contraband, classified information, or sensitive security-related information.

''(c) MENTAL HEALTH CARE FOR INMATES IN SOLITARY CONFINEMENT.—

''(1) MENTAL HEALTH SCREENING.—Not later than 6 hours after an inmate in the custody of the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody is placed in solitary confinement, the inmate shall receive a comprehensive, face-to-face mental health evaluation by a licensed mental health professional in a confidential setting.

''(2) MENTAL HEALTH TREATMENT PROGRAM.—An inmate diagnosed with a serious mental illness after an evaluation required under paragraph (1)—

''(A) shall not be placed in solitary confinement in accordance with subsection (b)(4); and

''(B) may be diverted to a mental health treatment program within the Bureau of Prisons that provides an appropriate level of care to address the inmate's mental health needs.

''(3) CONTINUING EVALUATIONS.—After each 14-calendar-day period an inmate is held in continuous placement in solitary confinement—

''(A) a licensed mental health professional shall conduct a comprehensive, face-to-face, out-of-cell mental health evaluation of the inmate in a confidential setting; and

''(B) the Director shall adjust the placement of the inmate in accordance with this subsection.

''(4) REQUIREMENT.—The Director shall operate mental health treatment programs in order to ensure that inmates of all security levels with serious mental illness have access to an appropriate level of care.

''(d) TRAINING FOR BUREAU OF PRISONS STAFF.—

''(1) TRAINING.—All employees of the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody who interact with inmates on a regular basis shall be required to complete training in—

''(A) the recognition of symptoms of mental illness;

''(B) the potential risks and side effects of psychiatric medications;

''(C) de-escalation techniques for safely managing individuals with mental illness;

''(D) consequences of untreated mental illness;

''(E) the long- and short-term psychological effects of solitary confinement; and

''(F) de-escalation and communication techniques to divert inmates from situations that may lead to the inmate being placed in solitary confinement.

''(2) NOTIFICATION TO MEDICAL STAFF.—An employee of the Bureau of Prisons shall immediately notify a member of the medical or mental health staff if the employee—

''(A) observes an inmate with signs of mental illness, unless such employee has knowledge that the inmate's signs of mental illness have previously been reported; or

''(B) observes an inmate with signs of mental health crisis.

''(e) CIVIL RIGHTS OMBUDSMAN.—

''(1) IN GENERAL.—Within the Bureau of Prisons, there shall be a position of the Civil Rights Ombudsman (referred to in this subsection as the 'Ombudsman') and an Office of the Civil Rights Ombudsman.

''(2) APPOINTMENT.—The Ombudsman shall be appointed by the Attorney General and shall report directly to the Director. The Ombudsman shall have a background in corrections and civil rights and shall have expertise on the effects of prolonged solitary confinement.

''(3) REPORTING.—The Director shall ensure that each Bureau of Prisons facility or any facility that contracts with the Bureau of Prisons provides multiple internal ways for inmates and others to promptly report civil rights violations and violations of this section to the Ombudsman, including—

''(A) not less than 2 procedures for inmates and others to report civil rights violations and violations of this section to an entity or office that is not part of the facility, and that is able to receive and immediately forward inmate reports to the Ombudsman, allowing the inmate to remain anonymous upon request; and

''(B) not less than 2 procedures for inmates and others to report civil rights abuses and violations of this section to the Ombudsman in a confidential manner, allowing the inmate to remain anonymous upon request.

''(4) NOTICE.—The Director shall ensure that each Bureau of Prisons facility or any facility that contracts with the Bureau of Prisons provides inmates with—

''(A) notice of how to report civil rights violations and violations of this section in accordance with paragraph (3), including—

''(i) notice prominently posted in the living and common areas of each such facility;

''(ii) individual notice to inmates at initial intake into the Bureau of Prisons, when transferred to a new facility, and when placed in solitary confinement;

''(iii) notice to inmates with disabilities in accessible formats; and

''(iv) written or verbal notice in a language the inmate understands; and

''(B) notice of permissible practices related to solitary confinement in the Bureau of Prisons, including the requirements of this section.

''(5) FUNCTIONS.—The Ombudsman shall—

''(A) review all complaints the Ombudsman receives;

''(B) investigate all complaints that allege a civil rights violation or violation of this section;

''(C) refer all possible violations of law to the Department of Justice;

''(D) refer to the Director allegations of misconduct involving Bureau of Prisons staff;

''(E) identify areas in which the Bureau of Prisons can improve the Bureau's policies and practices to ensure that the civil rights of inmates are protected;

''(F) identify areas in which the Bureau of Prisons can improve the solitary confinement policies and practices of the Bureau and reduce the use of solitary confinement; and

''(G) propose changes to the policies and practices of the Bureau of Prisons to mitigate problems and address issues the Ombudsman identifies.

''(6) ACCESS.—The Ombudsman shall have unrestricted access to Bureau of Prisons facilities and any facility that contracts with the Bureau of Prisons and shall be able to speak privately with inmates and staff.

''(7) ANNUAL REPORTS.—

''(A) OBJECTIVES.—Not later than December 31 of each year, the Ombudsman shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the activities of the Office of the Ombudsman for the fiscal year ending in such calendar year.

''(B) CONTENTS.—Each report submitted under subparagraph (A)—

''(i) contain full and substantive analysis, in addition to statistical information;

''(ii) identify the recommendations the Office of the Ombudsman has made on addressing reported civil rights violations and violations of this section and reducing the use and improving the practices of solitary confinement in the Bureau of Prisons;

''(iii) contain a summary of problems relating to reported civil rights violations and violations of this section, including a detailed description of the nature of such problems and a breakdown of where the problems occur among Bureau of Prisons facilities and facilities that contract with the Bureau of Prisons;

''(iv) contain an inventory of the items described in clauses (ii) and (iii) for which action has been taken and the result of such action;

''(v) contain an inventory of the items described in clauses (ii) and (iii) for which action remains to be completed and the period during which each item has remained on such inventory;

''(vi) contain an inventory of the items described in clauses (ii) and (iii) for which no action has been taken, the period during which each item has remained on such inventory, the reasons for the inaction, and shall identify any official of the Bureau of Prisons who is responsible for such inaction;

''(vii) contain recommendations for such legislative or administrative action as may be appropriate to resolve problems identified in clause (iii); and

''(viii) include such other information as the Ombudsman determines necessary.

''(C) SUBMISSION OF REPORTS.—Each report required under this paragraph shall be provided directly to the Committees described in subparagraph (A) without any prior review, comment, or amendment from the Director or any other officer or employee of the Department of Justice or Bureau of Prisons.

''(8) REGULAR MEETINGS WITH THE DIRECTOR OF THE BUREAU OF PRISONS.—The Ombudsman shall meet regularly with the Director to identify problems with reported civil rights violations and the solitary confinement policies and practices of the Bureau of Prisons, including overuse of solitary confinement, and to present recommendations for such administrative action as may be appropriate to resolve problems relating to reported civil

rights violations and the solitary confinement policies and practices of the Bureau of Prisons.

''(9) RESPONSIBILITIES OF BUREAU OF PRISONS.—The Director shall establish procedures requiring that, not later than 3 months after the date on which a recommendation is submitted to the Director by the Ombudsman, the Director or other appropriate employee of the Bureau of Prisons issue a formal response to the recommendation.

''(10) NON-APPLICATION OF THE PRISON LITIGATION REFORM ACT.—Inmate reports sent to the Ombudsman shall not be considered an administrative remedy under section 7(a) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(a)).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, is amended by inserting after the item relating to section 4049 the following:

''4051. Solitary confinement.''.

SEC. 3. REASSESSMENT OF INMATE MENTAL HEALTH.

Not later than 180 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall—

(1) assemble a team of licensed mental health professionals, which may include licensed mental health professionals who are not employed by the Bureau of Prisons, to conduct a comprehensive mental health reevaluation for each inmate held in solitary confinement for more than 30 days as of the date of enactment of this Act, including a confidential, face-to-face, out-of-cell interview by a licensed mental health professional; and

(2) adjust the placement of each inmate in accordance with section 4051(c) of title 18, United States Code, as added by section 2.

SEC. 4. DIRECTOR OF BUREAU OF PRISONS.

Section 4041 of title 18, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the ''The Bureau of Prisons shall be''; and

(2) by adding at the end the following:

''(b) OMBUDSMAN.—The Director of the Bureau of Prisons shall—

''(1) meet regularly with the Ombudsman appointed under section 4051(e) to identify how the Bureau of Prisons can address reported civil rights violations and reduce the use of solitary confinement and correct problems in the solitary confinement policies and practices of the Bureau;

''(2) conduct a prompt and thorough investigation of each referral from the Ombudsman under section 4051(e)(5)(D), after each such investigation take appropriate disciplinary action against any Bureau of Prisons employee who is found to have engaged in misconduct or to have violated Bureau of Prisons policy, and notify the Ombudsman of the outcome of each such investigation; and

''(3) establish procedures requiring a formal response by the Bureau of Prisons to any recommendation of the Ombudsman in the annual report submitted under section 4051(e)(6) not later than 90 days after the date on which the report is submitted to Congress.''.

SEC. 5. DATA TRACKING OF USE OF SOLITARY CONFINEMENT.

Section 4047 of title 18, United States Code, is amended by adding at the end the following:

''(d) PRISON SOLITARY CONFINEMENT ASSESSMENTS.—

''(1) IN GENERAL.—Not later than March 31 of each year, the Director of the Bureau of Prisons shall prepare and transmit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual assessment of the use of solitary confinement by the Bureau of Prisons, as defined in section 4051(a).

''(2) CONTENTS.—Each assessment submitted under paragraph (1) shall include—

''(A) the policies and regulations of the Bureau of Prisons, including any changes in policies and regulations, for determining which inmates are placed in each form of solitary confinement, or housing in which an inmate is separated from the general population in use during the reporting period, and a detailed description of each form of solitary confinement in use, including all maximum and high security facilities, all special housing units, all special management units, all Administrative Maximum facilities, including the United States Penitentiary Administrative Maximum in Florence, Colorado, and all Communication Management Units;

''(B) the number of inmates in the custody of the Bureau of Prisons who are housed in each type of solitary confinement for any period and the percentage of all inmates who have spent at least some time in each form of solitary confinement during the reporting period;

''(C) the demographics of all inmates housed in each type of solitary confinement described in subparagraph (A), including race, ethnicity, religion, age, and gender;

''(D) the policies and regulations of the Bureau of Prisons, including any updates in policies and regulations, for subsequent reviews or appeals of the placement of an inmate into or out of solitary confinement;

''(E) the number of reviews of and challenges to each type of solitary confinement placement described in subparagraph (A) conducted during the reporting period and the number of reviews or appeals that directly resulted in a change of placement;

''(F) the general conditions and restrictions for each type of solitary confinement described in subparagraph (A), including the number of hours spent in 'isolation,' or restraint, for each, and the percentage of time these conditions involve single-inmate housing;

''(G) the mean and median length of stay in each form of solitary confinement described in subparagraph (A), based on all individuals released from solitary confinement during the reporting period, including maximum and high security facilities, special housing units, special management units, the Administrative Maximum facilities, including the United States Penitentiary Administrative Maximum in Florence, Colorado, Communication Management Units, and any maximum length of stay during the reporting period;

''(H) the number of inmates who, after a stay of 5 or more days in solitary confinement, were released directly from solitary confinement to the public during the reporting period;

''(I) the cost for each form of solitary confinement described in subparagraph (A) in use during the reporting period, including as compared with the average daily cost of housing an inmate in the general population;

''(J) statistics for inmate assaults on correctional officers and staff of the Bureau of Prisons, inmate-on-inmate assaults, and staff-on-inmate use of force incidents in the various forms of solitary confinement described in subparagraph (A) and statistics for such assaults in the general population;

''(K) the policies for mental health screening, mental health treatment, and subsequent mental health reviews for all inmates, including any update to the policies, and any additional screening, treatment, and monitoring for inmates in solitary confinement;

''(L) a statement of the types of mental health staff that conducted mental health assessments for the Bureau of Prisons during the reporting period, a description of the different positions in the mental health staff of the Bureau of Prisons, and the number of part- and full-time psychologists and psychiatrists employed by the Bureau of Prisons during the reporting period;

''(M) data on mental health and medical indicators for all inmates in solitary confinement, including—

''(i) the number of inmates requiring medication for mental health conditions;

''(ii) the number diagnosed with an intellectual disability;

''(iii) the number diagnosed with serious mental illness;

''(iv) the number of suicides;

''(v) the number of attempted suicides and number of inmates placed on suicide watch;

''(vi) the number of instances of self-harm committed by inmates;

''(vii) the number of inmates with physical disabilities, including blind, deaf, and mobility-impaired inmates; and

''(viii) the number of instances of forced feeding of inmates; and

''(N) any other relevant data.''.

SEC. 6. NATIONAL RESOURCE CENTER ON SOLITARY CONFINEMENT REDUCTION AND REFORM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—

(1) solitary confinement, including the reduction and reform of its use; and

(2) providing technical assistance to corrections agencies on how to reduce and reform solitary confinement.

(b) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Bureau of Justice Assistance shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing a coordinating center for State, local, and Federal corrections systems, which shall conduct activities such as—

(1) provide on-site technical assistance and consultation to Federal, State, and local corrections agencies to safely reduce the use of solitary confinement;

(2) act as a clearinghouse for research, data, and information on the safe reduction of solitary confinement in prisons and other custodial settings, including facilitating the exchange of information between Federal, State, and local practitioners, national experts, and researchers;

(3) create a minimum of 10 learning sites in Federal, State, and local jurisdictions that have already reduced their use of solitary confinement and work with other Federal, State, and local agencies to participate in training, consultation, and other forms of assistance and partnership with these learning sites;

(4) conduct evaluations of jurisdictions that have decreased their use of solitary confinement to determine best practices;

(5) conduct research on the effectiveness of alternatives to solitary confinement, such as step-down or transitional programs, strategies to reintegrate inmates into general population, the role of officers and staff culture in reform efforts, and other research relevant to the safe reduction of solitary confinement;

(6) develop and disseminate a toolkit for systems to reduce the excessive use of solitary confinement;

(7) develop and disseminate an online self-assessment tool for State and local jurisdictions to assess their own use of solitary confinement and identify strategies to reduce its use; and

(8) conduct public webinars to highlight new and promising practices.

(c) ADMINISTRATION.—The program under this section shall be administered by the Bureau of Justice Assistance.

(d) REPORT.—On an annual basis, the coordinating center shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on its activities and any changes in solitary confinement policy at the Federal, State, or local level that have resulted from its activities.

(e) DURATION.—The Bureau of Justice Assistance shall enter into a cooperative agreement under this section for 5 years.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated—

(1) to the Director of the Bureau of Prisons such sums as may be necessary to carry out sections 2, 3, 4, and 5, and the amendments made by such sections; and

(2) to the Bureau of Justice Assistance such sums as may be necessary to carry out section 6.

SEC. 8. NOTICE AND COMMENT REQUIREMENT.

The Director of the Bureau of Prisons shall prescribe rules, in accordance with section 553 of title 5, United States Code, to carry out this Act and the amendments made by this Act.

SEC. 9. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall take effect 18 months after the date of enactment of this Act.

By Mr. KAINE (for himself and Mr. WARNER):

S. 725. A bill to change the address of the postal facility designated in honor of Captain Humayun Khan; considered and passed.

S. 725

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CAPTAIN HUMAYUN KHAN POST OFFICE.

Section 1(a) of Public Law 115–347 (132 Stat. 5054) is amended by striking ''180 McCormick Road'' and inserting ''2150 Wise Street''.

By Mrs. FEINSTEIN (for herself and Ms. COLLINS):

S. 726. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I am introducing bipartisan legislation with Senator COLLINS today to improve safety standards on products that affect every single American household. Most people assume that the personal care products they use every day, whether it is shampoo or shaving cream, lotion or make-up, hair dye or deodorant, have up-to-date Federal oversight.

In reality, however, the Food and Drug Administration's authority to do so is sorely outdated. In fact, even though research continues to better inform us on the safety of ingredients used in products that we absorb through our bodies, skin and even our nails, regulation of these ingredients have not kept up and little has changed over the past eight decades on how we conduct oversight of these products. It is time to modernize our safety oversight and correct this problem.

Over the last several years, Senator COLLINS and I have worked with a wide group of stakeholders that represent both industry and consumer groups. Together, we have drafted the Personal Care Products Safety Act with the support of many companies, health experts, and consumer organizations to put commonsense measures in place.

One of the most critical components of this legislation is a process for the FDA to review the safety of ingredients in personal care products. The FDA may limit the quantity of an ingredient, require specific screening protocol to ensure dangerous contaminants aren't present, or require warning labels when needed to alert consumers. If an ingredient is simply unsafe for use under any conditions, the FDA can require that it be banned from use in all personal care products.

Just this week, the FDA announced finding asbestos in several different types of make-up marketed to children and teens at the popular store, Claire's. This is a serious concern that highlights the need for Congress to move quickly to give FDA the tools they need.

Under our bill, the FDA could implement new screening protocols for contaminants like asbestos. Companies would be required to register, so it would be easier to know where products were coming from. FDA would have mandatory recall authority for personal care products like they do for food, and companies would finally be required to report adverse health events.

The Personal Care Products Safety Act is the result of many diverse groups working together with the common goal of modernizing the Federal oversight system to ensure the safest products possible are on the market. These stakeholders include small and large companies, doctors, consumer advocates, patient advocates, scientists, and the Food and Drug Administration.

This legislation recognizes the needs of businesses of all sizes to support their growth while not sacrificing high safety standards that will keep consumers safe and raise the bar for industry standards. Many companies are taking voluntary steps to do the right thing, but it is time for this to be a uniform requirement.

Another shocking example of concern is the ongoing use of formaldehyde, also called methylene glycol when in liquid form. It is used in the popular hair straightening treatment called a Brazilian blowout. During this beauty treatment, formaldehyde is released into the air and can cause shortness of breath, headaches, and dizziness in the short-term. Exposure to formaldehyde long-term has even been linked to cancer.

I am also greatly concerned about safety of salon professionals, who are exposed daily to a variety of chemicals. In addition to reviewing the safety of chemicals they may be exposed to, this legislation ensures that the salon products they use are properly labeled with ingredients and warnings.

This bill will require the Food and Drug Administration to evaluate at least five ingredients per year for safety and use in personal care products. In addition to reviewing the latest scientific and medical studies, the agency will consider how prevalent the ingredient is, the likelihood to exposure, adverse event reports, and information from public comments.

Public input will be critical to the review process. There will be opportunities for companies, scientists, consumer groups, medical professionals, and members of the public to weigh in on not only the safety of particular ingredients but also which ingredients should be a priority for review.

After review, the Food and Drug Administration may deem an ingredient safe, unsafe, or safe under certain uses or under certain conditions. The agency will also have the authority to require warning labels as needed for certain ingredients and limit the amount of an ingredient that may be used in personal care products. For example, some ingredients may only be safe for use by adults or when used by professionals in a salon or spa setting.

The Personal Care Products Safety Act will also require companies to provide the Food and Drug Administration with a list of their products' ingredients and attest to their safety.

The bill recognizes the unique nature of the American handmade cosmetic industry and meets their needs to encourage growth and innovation. This legislation provides flexibility for small businesses, particularly those making low-risk products. And this bill would not increase taxpayer obligations because it is paid for by user fees from the cosmetic industry.

I am pleased to have the support of a broad coalition, including Environmental Working Group, Endocrine Society, National Alliance for Hispanic Health, National Women's Health Network, American Autoimmune Related Diseases Association, March of Dimes, Handmade Cosmetic Alliance, and the following companies that together represent over 90 brands of products: The Estee Lauder Companies, Procter and Gamble, Revlon, Unilever, L'Oreal, Johnson and Johnson, Beautycounter, Makes 3 Organics, SkinOwl, Silk Therapeutics, and S.W. Basics.

I want to thank Senator COLLINS for her support and hard work on this important legislation. I urge my colleagues to join us in supporting this much needed legislation to modernize our outdated regulatory system for personal care products, and I hope the Senate will pass this long overdue legislation this year.

By Mr. SCHUMER (for himself, Mr. CARPER, Mr. REED, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. SCHATZ, Ms. SMITH, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. BOOKER, Ms. STABENOW, Ms. KLOBUCHAR, Ms.

HASSAN, Mr. MERKLEY, and Mrs. FEINSTEIN):

S. 729. A bill to prohibit the use of funds to Federal agencies to establish a panel, task force, advisory committee, or other effort to challenge the scientific consensus on climate change, and for other purposes; read the first time.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON USE OF FUNDS TO CHALLENGE SCIENTIFIC CONSENSUS ON CLIMATE CHANGE.

No amounts appropriated or otherwise made available to a Federal agency (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903) and including the Executive Office of the President) may be used to establish or operate a panel, task force, other advisory committee, or other effort intended to challenge the scientific consensus on climate change, as presented in the assessment required under section 106 of the Global Change Research Act of 1990 (15 U.S.C. 2936).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 99—EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD TAKE ALL APPROPRIATE MEASURES TO ENSURE THAT THE UNITED STATES POSTAL SERVICE REMAINS AN INDEPENDENT ESTABLISHMENT OF THE FEDERAL GOVERNMENT AND IS NOT SUBJECT TO PRIVATIZATION

Mr. PETERS (for himself, Mr. MORAN, Mr. CARPER, Ms. MURKOWSKI, Ms. SMITH, Ms. COLLINS, Mr. JONES, Mr. SULLIVAN, Mr. SANDERS, Mr. BLUNT, Mr. WHITEHOUSE, Mr. ROBERTS, Mr. KING, Mr. VAN HOLLEN, Ms. HARRIS, Mr. UDALL, Mr. REED, Ms. BALDWIN, Mrs. SHAHEEN, Ms. DUCKWORTH, Ms. SINEMA, Mr. KAINE, Mr. TESTER, Ms. ROSEN, and Ms. HASSAN) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 99

Whereas Congress has the authority to establish post offices and post roads under clause 7 of section 8 of article I of the Constitution of the United States;

Whereas the United States Postal Service is a self-sustaining, independent establishment that relies on revenue derived from the sale of postal services and products, not on taxpayer funds;

Whereas more than 503,000 career employees work for the United States Postal Service, including more than 105,000 military veterans;

Whereas the United States Postal Service is at the center of the mailing industry, which generates $1,400,000,000,000 annually and employs approximately 7,500,000 individuals in the United States;

Whereas the United States Postal Service serves the needs of approximately 157,000,000 business and residential customers not fewer than 6 days per week, maintains an affordable and universal network, and connects the rural, suburban, and urban communities of the United States;

Whereas the United States Postal Service is consistently the highest-rated agency of the Federal Government in nonpartisan opinion polls;

Whereas the United States Postal Service is the second largest employer of veterans in the United States;

Whereas the employees of the United States Postal Service—

(1) are dedicated public servants who do more than process and deliver the mail of the people of the United States; and

(2) serve as the eyes and ears of the communities of the United States and often respond first in situations involving health, safety, and crime in those communities; and

Whereas the privatization of the United States Postal Service would—

(1) result in higher prices and reduced services for the customers of the United States Postal Service, especially in rural communities;

(2) jeopardize the booming e-commerce sector; and

(3) cripple a major part of the critical infrastructure of the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that Congress should take all appropriate measures to ensure that the United States Postal Service remains an independent establishment of the Federal Government and is not subject to privatization, in whole or in part.

SENATE RESOLUTION 100—RECOGNIZING THE HERITAGE, CULTURE, AND CONTRIBUTIONS OF AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN WOMEN IN THE UNITED STATES

Ms. MURKOWSKI (for herself, Mr. UDALL, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. CORTEZ MASTO, Mr. DAINES, Ms. DUCKWORTH, Ms. HARRIS, Mr. HEINRICH, Ms. HIRONO, Mr. HOEVEN, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Ms. MCSALLY, Mr. MERKLEY, Mr. MORAN, Mrs. MURRAY, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. SMITH, Mr. TESTER, Ms. WARREN, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 100

Whereas the United States celebrates National Women's History Month every March to recognize and honor the achievements of women throughout the history of the United States;

Whereas an estimated 3,081,000 American Indian, Alaska Native, and Native Hawaiian women live in the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women helped shape the history of their communities, Tribes, and the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women contribute to their communities, Tribes, and the United States through work in many industries, including business, education, science, medicine, literature, fine arts, military service, and public service;

Whereas American Indian, Alaska Native, and Native Hawaiian women have fought to defend and protect the sovereign rights of Native Nations;

Whereas American Indian, Alaska Native, and Native Hawaiian women have demonstrated resilience and courage in the face of a history of threatened existence, constant removals, and relocations;

Whereas more than 6,000 American Indian, Alaska Native, and Native Hawaiian women bravely serve as members of the United States Armed Forces;

Whereas more than 17,000 American Indian, Alaska Native, and Native Hawaiian women are veterans who have made lasting contributions to the United States military;

Whereas American Indian, Alaska Native, and Native Hawaiian women broke down historical gender barriers to enlistment in the military, including—

(1) Inupiat Eskimo sharpshooter Laura Beltz Wright of the Alaska Territorial Guard during World War II; and

(2) Minnie Spotted Wolf of the Blackfeet Tribe, the first Native American woman to enlist in the United States Marine Corps in 1943;

Whereas American Indian, Alaska Native, and Native Hawaiian women have made the ultimate sacrifice for the United States, including Lori Ann Piestewa, a member of the Hopi Tribe and the first woman in the United States military killed in the Iraq War in 2003;

Whereas American Indian, Alaska Native, and Native Hawaiian women have contributed to the economic development of Native Nations and the United States as a whole, including Elouise Cobell of the Blackfeet Tribe, a recipient of the Presidential Medal of Freedom, who—

(1) served as the treasurer of her Tribe;

(2) founded the first Tribally owned national bank; and

(3) led the fight against Federal mismanagement of funds held in trust for more than 500,000 Native Americans;

Whereas American Indian, Alaska Native, and Native Hawaiian women own an estimated 154,900 businesses;

Whereas these Native women-owned businesses employ more than 50,000 workers and generate over $10,000,000,000 in revenues as of 2016;

Whereas American Indian and Alaska Native women have opened an average of more than 17 new businesses each day since 2007;

Whereas American Indian, Alaska Native, and Native Hawaiian women have made significant contributions to the field of medicine, including Susan La Flesche Picotte of the Omaha Tribe, who is widely acknowledged as the first Native American to earn a medical degree;

Whereas American Indian, Alaska Native, and Native Hawaiian women have contributed to important scientific advancements, including—

(1) Floy Agnes Lee of Santa Clara Pueblo, who—

(A) worked on the Manhattan Project during World War II; and

(B) pioneered research on radiation biology and cancer; and

(2) Native Hawaiian Isabella Kauakea Yau Yung Aiona Abbott, who—

(A) was the first woman on the biological sciences faculty at Stanford University; and

(B) was awarded the highest award in marine botany from the National Academy of Sciences, the Gilbert Morgan Smith medal, in 1997;

Whereas American Indian, Alaska Native, and Native Hawaiian women have achieved distinctive honors in the art of dance, including Maria Tall Chief of the Osage Nation the first major prima ballerina of the United

States and was a recipient of a Lifetime Achievement Award from the Kennedy Center;

Whereas American Indian, Alaska Native, and Native Hawaiian women have accomplished notable literary achievements, including Northern Paiute author Sarah Winnemucca Hopkins who wrote and published one of the first Native American autobiographies in United States history in 1883;

Whereas American Indian, Alaska Native, and Native Hawaiian women have regularly led efforts to revitalize and maintain Native cultures and languages, including—

(1) Tewa linguist and teacher Esther Martinez, who developed a Tewa dictionary and was credited with revitalizing the Tewa language; and

(2) Native Hawaiian scholar Mary Kawena Pukui, who published more than 50 academic works and was considered the most noted Hawaiian translator of the 20th century;

Whereas American Indian, Alaska Native, and Native Hawaiian women have excelled in athletic competition and created opportunities for other female athletes within their sport, including Rell Kapoliokaehukai Sunn who—

(1) ranked as longboard surfing champion of the world; and

(2) co-founded the Women's Professional Surfing Association in 1975, the first professional surfing tour for women;

Whereas American Indian, Alaska Native, and Native Hawaiian women have played a vital role in advancing civil rights, protecting human rights, and safeguarding the environment, including Elizabeth Wanamaker Peratrovich of the Tlingit Nation who helped secure the passage of the Anti-Discrimination Act of 1945 of the Alaska Territory, the first anti-discrimination law in the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women have succeeded as judges, attorneys, and legal advocates, including Eliza ''Lyda'' Conley, a Wyandot-American lawyer and the first Native woman admitted to argue a case before the United States Supreme Court in 1909;

Whereas American Indian, Alaska Native, and Native Hawaiian women have paved the way for women in the law, including Native Hawaiian Emma Kailikapiolono Metcalf Beckley Nakuina who served as the first female judge in Hawaii;

Whereas American Indian, Alaska Native, and Native Hawaiian women are dedicated public servants, holding important positions in State governments, local governments, the Federal judicial branch, and the Federal executive branches;

Whereas American Indian and Alaska Native women have served as remarkable Tribal councilwomen, Tribal court judges, and Tribal leaders, including Wilma Mankiller, the first woman elected to serve as Principal Chief of the Cherokee Nation who fought for Tribal self-determination and improvement of the community infrastructure of her Tribe;

Whereas Native Hawaiian women have also led their People through notable acts of public service, including Kaahumanu who was the first Native Hawaiian woman to serve as regent of the Kingdom of Hawaii;

Whereas the United States should continue to invest in the future of American Indian, Alaska Native, and Native Hawaiian women to address the barriers they face, including access to justice, health care, and opportunities for educational and economic advancement; and

Whereas American Indian, Alaska Native, and Native Hawaiian women are the life givers, the culture bearers, and the caretakers of Native peoples who have made precious contributions enriching the lives of all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates and honors the successes of American Indian, Alaska Native, and Native Hawaiian women and the contributions they have made and continue to make to the United States; and

(2) recognizes the importance of supporting equity, providing safety, and upholding the interests of American Indian, Alaska Native, and Native Hawaiian women.

SENATE RESOLUTION 101—SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. MURPHY, and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 101

Whereas, as of March 2019, there are approximately 3,700,000,000 women in the world;

Whereas women and girls around the world—

(1) have fundamental human rights;

(2) play a critical role in providing and caring for their families;

(3) contribute substantially to food security, economic growth, and the prevention and resolution of conflict; and

(4) must be empowered to more fully participate in the political, social, and economic lives of their communities in order to accelerate the growth of healthier, more stable societies;

Whereas the advancement and empowerment of women and girls around the world is a foreign policy priority for the United States;

Whereas the National Security Strategy of the United States, published in December 2017—

(1) declares that ''societies that empower women to participate fully in civic and economic life are more prosperous and peaceful'';

(2) supports ''efforts to advance women's equality, protect the rights of women and girls, and promote women and youth empowerment programs''; and

(3) recognizes that ''governments that fail to treat women equally do not allow their societies to reach their potential'';

Whereas the United States National Action Plan on Women, Peace, and Security, revised in June 2016, states, ''Deadly conflicts can be more effectively avoided, and peace can be best forged and sustained, when women become equal partners in all aspects of peacebuilding and conflict prevention, when their lives are protected, their voices heard, and their perspectives taken into account.'';

Whereas there are 79 national action plans relating to the empowerment of women around the world, 11 regional action plans, and several additional national action plans known to be in development;

Whereas the joint strategy of the Department of State and the United States Agency for International Development entitled ''Department of State & USAID Joint Strategy on Countering Violent Extremism'' and dated May 2016—

(1) notes that women can play a critical role in identifying and addressing drivers of violent extremism in their families, communities, and broader society; and

(2) commits to supporting programs that engage women ''as key stakeholders in preventing and countering violent extremism in their communities'';

Whereas, according to the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State, the full and meaningful participation of women in security forces vastly enhances the effectiveness of the security forces;

Whereas, despite the contributions of women to society, hundreds of millions of women and girls around the world continue to be denied the right to participate freely in civic and economic life, lack fundamental legal protections, and are left vulnerable to exploitation and abuse;

Whereas, every year, approximately 12,000,000 girls are married before they reach the age of 18, which means that—

(1) nearly 33,000 girls are married every day; or

(2) nearly 23 girls are married every minute;

Whereas, according to the International Labour Organization, 71 percent of the estimated 40,300,000 victims of modern slavery in 2016 were women or girls, with girls representing 3 out of every 4 child trafficking victims;

Whereas, according to UNICEF—

(1) approximately ¼ of girls between the ages of 15 and 19 are victims of physical violence;

(2) approximately 15,000,000 girls between the ages of 15 and 19 have experienced rape or other forced sexual acts; and

(3) an estimated 1 in 3 women around the world has experienced some form of physical or sexual violence;

Whereas, according to the 2018 report of the United Nations Office on Drugs and Crime entitled ''Global Report on Trafficking in Persons'', 72 percent of all detected trafficking victims are women or girls;

Whereas, on August 10, 2012, the United States Government launched a strategy entitled ''United States Strategy to Prevent and Respond to Gender-Based Violence Globally'', which is the first interagency strategy that—

(1) addresses gender-based violence around the world;

(2) advances the rights and status of women and girls;

(3) promotes gender equality in United States foreign policy; and

(4) works to bring about a world in which all individuals can pursue their aspirations without the threat of violence;

Whereas, in June 2016, the Department of State released an update to that strategy, underscoring that ''preventing and responding to gender-based violence is a cornerstone of the U.S. Government's commitment to advancing human rights and promoting gender equality and the empowerment of women and girls'';

Whereas, according to the United Nations Entity for Gender Equality and the Empowerment of Women (commonly referred to as ''UN Women''), peace negotiations are more likely to end in a peace agreement when women and women's groups play a meaningful role in the negotiation process;

Whereas, according to a study by the International Peace Institute, a peace agreement is 35 percent more likely to last at least 15 years if women participate in the development of the peace agreement;

Whereas, on October 6, 2017, the Women, Peace, and Security Act of 2017 (22 U.S.C. 2152j et seq.) was enacted into law, which includes requirements for a government-wide ''Women, Peace, and Security Strategy'' to promote and strengthen women's participation in peace negotiations and conflict prevention overseas, enhanced training for relevant United States Government personnel, and follow-up evaluations of the effectiveness of the strategy;

Whereas, on October 25, 2018, Ambassador Jonathan Cohen, United States Deputy Permanent Representative to the United Nations, stated in the United Nations Security

Council Annual Open Debate on Women, Peace and Security that—

(1) ''promoting women's equal and meaningful inclusion and participation across efforts to restore security, promote democracy and good governance, and support economic development are not women's issues; they are vital national security issues'';

(2) ''our experience shows that women often have the best understanding of the needs of their communities'';

(3) ''the United States believes strongly that countries with high rates of gender inequality are more likely to experience instability and deadly conflict . . . [m]eaningful participation of women at all levels of security work, including in uniform, can help counteract this worrying trend'';

(4) ''empowering women economically starts with ensuring girls have access to education . . . [g]irls suffer most when there are attacks on schools or when combatants misuse schools to support combatant operations'';

(5) ''if we hope to prevent conflicts and build lasting peace, promote better governance, and advance sustainable economic growth, we must empower women as full and equal partners at every step''; and

(6) ''women are half the population . . . [i]t's only right that they be full participants in the discussions and decisions that shape our present and those that will shape our futures'';

Whereas, despite the achievements of individual female leaders—

(1) women around the world remain vastly underrepresented in—

(A) high-level positions; and

(B) national and local legislatures and governments; and

(2) according to the Inter-Parliamentary Union, women account for only 24.1 percent of national parliamentarians and 18.3 percent of government ministers;

Whereas the ability of women and girls to realize their full potential is critical to the ability of a country to achieve strong and lasting economic growth, self-reliance, and political and social stability;

Whereas, although the United Nations Millennium Project reached the goal of achieving gender parity in primary education in most countries in 2015, more work remains to be done to achieve gender equality in primary and secondary education, and particularly in secondary education worldwide as gender gaps persist and widen, by addressing—

(1) discriminatory practices;

(2) cultural norms;

(3) inadequate sanitation facilities;

(4) child, early, and forced marriage; and

(5) other factors that favor boys or devalue girls' education;

Whereas women around the world face a variety of constraints that severely limit their economic participation and productivity and remain underrepresented in the labor force;

Whereas women's economic empowerment is inextricably linked to a myriad of other human rights that are essential to the ability of women to thrive as economic actors, including—

(1) living lives free of violence and exploitation;

(2) achieving the highest possible standard of health and well-being;

(3) enjoying full legal and human rights, such as access to registration, identification, and citizenship documents, and freedom of movement;

(4) benefitting from formal and informal education;

(5) benefitting from equal protection of and access to land and property rights;

(6) receiving access to fundamental labor rights;

(7) the implementation of policies to address disproportionate care burdens; and

(8) receiving business and management skills and leadership opportunities;

Whereas closing the global gender gap in labor markets could increase worldwide gross domestic product by as much as $28,000,000,000,000 by 2025;

Whereas, pursuant to section 3(b) of the Women's Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428), it is the international development cooperation policy of the United States—

(1) to reduce gender disparities with respect to economic, social, political, educational, and cultural resources, wealth, opportunities, and services;

(2) to strive to eliminate gender-based violence and mitigate its harmful effects on individuals and communities including through efforts to develop standards and capacity to reduce gender-based violence in the workplace and other places where women work;

(3) to support activities that secure private property rights and land tenure for women in developing countries, including—

(A) legal frameworks that give women equal rights to own, register, use, profit from, and inherit land and property;

(B) improving legal literacy to enable women to exercise the rights described in subparagraph (A); and

(C) improving the capacity of law enforcement and community leaders to enforce such rights;

(4) to increase the capability of women and girls to fully exercise their rights, determine their life outcomes, assume leadership roles, and influence decision making in households, communities, and societies; and

(5) to improve the access of women and girls to education, particularly higher education opportunities in business, finance, and management, in order to enhance financial literacy and business development, management, and strategy skills;

Whereas, according to the World Health Organization, global maternal mortality decreased by approximately 44 percent between 1990 and 2015, yet approximately 830 women and girls continue to die from preventable causes relating to pregnancy or childbirth each day, and 99 percent of all maternal deaths occur in developing countries;

Whereas the Office of the United Nations High Commissioner for Refugees reports that women and girls comprise approximately ½ of the 68,500,000 refugees and internally displaced or stateless individuals in the world;

Whereas it is imperative—

(1) to alleviate violence and discrimination against women and girls; and

(2) to afford women every opportunity to be full and productive members of their communities; and

Whereas March 8, 2019, is recognized as International Women's Day, a global day—

(1) to celebrate the economic, political, and social achievements of women in the past, present, and future; and

(2) to recognize the obstacles that women face in the struggle for equal rights and opportunities: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of International Women's Day;

(2) recognizes that the empowerment of women is inextricably linked to the potential of a country to generate—

(A) economic growth;

(B) sustainable democracy; and

(C) inclusive security;

(3) recognizes and honors individuals in the United States and around the world, including women human rights defenders and civil society leaders, who have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(4) recognizes the unique cultural, historical, and religious differences throughout the world and urges the United States Government to act with respect and understanding toward legitimate differences when promoting any policies;

(5) reaffirms the commitment—

(A) to end discrimination and violence against women and girls;

(B) to ensure the safety, health, and welfare of women and girls;

(C) to pursue policies that guarantee the fundamental human rights of women and girls worldwide; and

(D) to promote meaningful and significant participation of women in every aspect of society and community;

(6) supports sustainable, measurable, and global development that seeks to achieve gender equality and the empowerment of women and girls; and

(7) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 9:30 a.m., to conduct a hearing ''examine the chain of commands accountability to provide safe military housing and other building infrastructure to servicemembers and their families.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 12:30 p.m., to conduct a business meeting and hearing on the following nominations: Rita Baranwal, of Pennsylvania, to be an Assistant Secretary (Nuclear Energy), William Cooper, of Maryland, to be General Counsel, Christopher Fall, of Virginia, to be Director of the Office of Science, and Lane Genatowski, of New York, to be Director of the Advanced Research Projects Agency-Energy, all of the Department of Energy.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 10 a.m., to conduct a hearing on the following nominations: Joseph F. Bianco, of New York, and Michael H. Park, of New York, both to be a United States Circuit Judge for the Second Circuit, Greg Girard Guidry, to be United States District Judge for the Eastern District of Louisiana, Michael T. Liburdi, to be United States District Judge for the District of Arizona, and

Peter D. Welte, to be United States District Judge for the District of North Dakota.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 2 p.m., to conduct a joint hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 2 p.m., to conduct a closed briefing.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 10 a.m., to conduct a hearing entitled ''Complex web of prescription drug prices, focusing on untangling the web and paths forward.''

SUBCOMMITTEE ON SECURITY

The Subcommittee on Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 10 a.m., to conduct a hearing entitled ''China, focusing on challenges for United States commerce.''

SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN'S ISSUES

The Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 10 a.m., to conduct a hearing entitled ''United States-Venezuela relations and the path to a democratic transition.''

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, March 7, 2019, at 10 a.m., to conduct a hearing entitled ''Examining private sector data breaches.''

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BRAUN). Without objection, it is so ordered.

SELF-INITIATION TRADE ENFORCEMENT ACT

Mr. PETERS. Mr. President, I know that American small businesses can outcompete anybody in the world; however, they deserve to have a level playing field. All too often, foreign countries engage in unfair trade practices—like dumping and countervailing duties—that make it harder for small and midsized businesses to compete in the global marketplace.

This is especially true in my home State of Michigan, where businesses, from family farms to auto part suppliers and other small manufacturers, face unfair competition from foreign competitors whose products are subsidized by their governments.

Michigan's cherry growers have experienced these unfair practices firsthand. In Traverse City, which is home of the National Cherry Festival, Michigan cherry growers struggled to sell their products after Turkey dumped artificially priced cherry juice into the American markets. As a result, many of Michigan's cherry growers are facing dire financial situations.

Late last year, the Commerce Department revoked the duty-free status of cherry juice from Turkey, but Michigan cherry growers had to wait far too long for the government to step up. Small businesses and agricultural producers don't have the resources to employ an army of international trade lawyers like larger corporations and other industries do. As a result, they are often defenseless against illegal trade practices that undercut American businesses and American workers. We must use our expertise and strength to stand up for these small businesses and give them a fair fight.

Under current law, the Commerce Department has the authority to start their own investigations into these harmful trade practices, but unfortunately they rarely do. That is why last week, I introduced bipartisan legislation with Senator BURR to address unfair trade practices.

The Self-Initiation Trade Enforcement Act will strengthen protections for small businesses and their workers by creating a permanent task force dedicated to proactively identifying illegal trade practices that unfairly target small businesses and small industries.

Last year, I attended a bipartisan trade policy meeting with President Trump and Commerce Secretary Ross, and I discussed this commonsense legislation with both of them. They both expressed their strong support. I will continue to work with the administration and my colleagues in Congress to get this legislation signed into law.

Michigan workers and businesses deserve a fair chance to compete, and I will keep fighting to enforce fair trade rules and give Michigan's small businesses a level playing field. I urge my colleagues to support the Self-Initiation Trade Enforcement Act to help small businesses and family farms across Michigan and the United States successfully compete and ultimately succeed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGING THE ADDRESS OF THE POSTAL FACILITY DESIGNATED IN HONOR OF CAPTAIN HUMAYUN KHAN

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 725, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant bill clerk read as follows:

A bill (S. 725) to change the address of the postal facility designated in honor of Captain Humayun Khan.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 725) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 725

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CAPTAIN HUMAYUN KHAN POST OFFICE.

Section 1(a) of Public Law 115–347 (132 Stat. 5054) is amended by striking ''180 McCormick Road'' and inserting ''2150 Wise Street''.

SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 101, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant bill clerk read as follows:

A resolution (S. Res. 101) supporting the goals of International Women's Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 101) was agreed to.

Mr. MCCONNELL. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 729

Mr. MCCONNELL. Mr. President, I understand that S. 729, introduced earlier today by Senator SCHUMER, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant bill clerk read as follows:

A bill (S. 729) to prohibit the use of funds to Federal agencies to establish a panel, task force, advisory committee, or other effort to challenge the scientific consensus on climate change, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 99–661, appoints the following individual to be a member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation: The Honorable KYRSTEN SINEMA of Arizona.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 11; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Matey nomination; finally, that notwithstanding the provisions of rule XXII, the cloture motions filed during today's session of the Senate ripen at 5:30 p.m., Monday, March 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MARCH 11, 2019, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:18 p.m. adjourned until Monday, March 11, 2019, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 7, 2019:

DEPARTMENT OF COMMERCE

JOHN FLEMING, OF LOUISIANA, TO BE ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT.

THE JUDICIARY

ERIC E. MURPHY, OF OHIO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.